PAPERS
OF
SHAKERS

292

OHIO
Union Village

III.

OFFICE RECORD

BY

JAMES S. PRESCOTT.

JAN. 26."

1882.

"Come and let us join ourselves to the Lord in a perpetual Covenant that shall not be forgotten."

Jeremiah 50 - 5.

Preface.

This Book contains a true and correct Copy of the Covenant of the Church at North Union; in conformity with the provision in Article III. Sec. 4" of the Covenant of the Church. It is also designed to contain such other matters of Record and transactions of a public nature, which are necessary to be recorded for the benefit of the Church, and for the preservation and security of the documents, papers and written instruments pertaining to the united interest and concerns of the Church. Other matters of Record required to be kept, and which are specified in the Covenant will be found in other Books, A. b. D. E. &c.

A Copy of the 1.st" Covenant signed at North-Union, and a Copy of the names of the original Signers, and subsequent signatures to that document may be found about the middle of this Book, or on the 216. page, together with a Supplement.

A Copy of a general Deed &c. may be found commencing on the 115 page of this Book.

A Copy of a Deed of Transfer may be found on Page " " " " " - 151 - Also, a Declaration of Trust, beginning on page 154 -

For Index See Page 31. " " " " " "

A brief Illustration of the Principles on which the Covenant is founded.

When man by transgression lost his primitive rectitude, he then lost the unity of his true interest, both to God and his fellow creatures. Hence he became selfish and partial in all his views and pursuits. Instead of feeling it his interest and happiness to honor and build up the cause of God, and benefit his fellow creatures, his feelings were turned to exalt and build up himself at the expense of the peace and happiness of his own species, and the loss of his union to his Creator.

The object and design of the consecrated interest of the Church, and the covenant relation of this Institution by which it is maintained, are to regain the unity of that relation to God, and that social order and connexion with each other which mankind lost at the beginning, and to place it upon that solid foundation which cannot be overthrown; so that its blessings and effects may be felt and enjoyed by all who are willing to build on that foundation as an everlasting Institution.

It is a matter of importance that those who are admitted into this Institution, should not be ignorant of the nature of such an undertaking; that they should know for themselves the principles and practice of the institution, and learn by their own experience what are the requirements of the gospel. In a church relation, founded upon true christian principles, one faith must govern all the Members. Their interest must also be one, and all their plans and pursuits must be regulated by one head or leading influence, and tend to one general End & purpose, according to that unity of faith manifested in their written Covenant. For, as a body without a head, possesses neither life nor power; so a Church without a head or leading power, cannot support its existence, much less maintain the life and power of the gospel.

In the first associations of believers in America, their first object was to locate themselves near together, for the benefit of religious worship and protection.

Covenant Illustrated.

And having determined to submit to the government of Christ, according to his revealed will to them, and to devote themselves to the service of God, and the mutual benefit of each other, they found it most convenient for their purpose and more conformable to the example of the primitive christians, to bring their property together, and unite it in one consecrated interest, for the mutual benefit of the Institution. Agreeable to this plan, the idea of a united interest was introduced, and the property was intrusted to managers in whom they had full confidence, and who were considered faithful, trusty, and capable. A gospel government was then established upon its proper foundation.

It is proper to remark here, that the foundation of the real estate of the [Parent] Church was laid, and a large portion of it made up of property which was devoted and consecrated by persons who have since left the world. And it was the special object and desire of those persons, as expressed in their last wills and testaments, that it should forever remain a consecrated interest, devoted to the sacred purposes for which it was given and which are expressed in the Covenant. Another portion of this united interest has been made up of the consecrated property and labors of those who are still living and faithful in the sacred cause. Hence it is obvious that the Society can never appropriate this consecrated property to any other use without violating the sacred wills, and defeating the pious intentions of the consecrators.

The government of Christ in his church, is a divine government, and all who justly expect to be benefitted by it, must come within the bounds of its protection, acknowledge its Authority, approve and yield obedience to its requirements: For it is a truth confirmed by the experience of all ages, that no government, whether human or divine, can be beneficial to those who will not acknowledge its Authority, and come under its protection.

Every divine institution emanating from God, who is the God of order, is necessarily formed according to sound consistent principle. The Church of Christ must therefore be established upon a foundation which cannot admit of a precarious or uncertain tenure. Divine Providence, for wise purposes, has permitted all earthly governments, in some way or manner, to emanate from the people; but whenever Infinite Wisdom has seen fit to establish a spiritual or religious government,

for the benefit of his covenant people, it has invariably originated from divine appointment; and its continuance has been signally blessed and protected by an overruling Providence. This is clear from the records of Scripture. God appointed Moses, and established him as a leader of the tribes of Israel; and by divine revelation Moses appointed Joshua to succeed him. Altho these things were done under the Law, they evidently pointed to a gospel government, which was more clearly manifested under the ministration of Jesus Christ, and confirmed by his words and works. "Ye have not chosen me, but I have chosen you, and ordained you" — "As my Father hath sent me, even so send I you." *

Jesus Christ appointed his Apostles as the visible head and leaders of the Church, and the Apostles appointed their successors and "ordained Elders in every Church." * And while the government of the Church was kept and acknowledged on this foundation, its purity was preserved; but when, through the influence of human wisdom, the rulers of the church came to be elected by vote, then were produced those unhappy divisions, by which the true union of the Church was broken, its order destroyed, "and the power of the holy people scattered." But when the second manifestation of the spirit of Christ came forth in the revival of the true faith and principles of the gospel, for the restoration and establishment of the true nature and order of the Church; then the same divine order of spiritual government was again revived.

Hence the Ministerial institution must be considered as originating from divine Authority: of course, the appointment of the Ministry is, in reality, a divine appointment, given through the preceding Ministry, and confirmed and established in the Society by the general union and approbation of the Church; and when duly established, the first visible Authority, together with the necessary powers of government, are confided to them: Hence, to their authority, all final appeals must be submitted for decision.

As regulation and good order are the strength and support of every institution; so they are essentially necessary in all the concerns of this Society. Hence arises the necessity of

---

* John XV. 16. and XX. 21. * Mathew. 21. - 18. 19. John. 20. 23. & Acts. 14. 23.

Covenant Illustrated.

Elders, Deacons, and Trustees, to conduct the various concerns of the church and Society, which fall under their respective jurisdictions.

It is the province of the Elders to assist, in the spiritual administration and government of their respective families or departments. The Deacons are intrusted with the stewardship of the families to which they belong; their business is to superintend the domestic concerns of their respective departments. The superintending Deacons or acting Trustees are the constitutional repositories of the temporal property which forms the united & consecrated interest of the church, and the official agents for the transactions of temporal business with those without. And as the governing power is vested in the Ministry, and supported by the general union of the Society, it is therefore very important that the Elders, Deacons, & Trustees, in all their concerns should maintain a proper union & understanding with the Ministry, and with each other.

The present order of the Church was first established at New Lebanon, in the year 1792, under the ministration of Joseph Meacham and Lucy Wright, who were considered as the founders and spiritual leaders of Church Order in this day of Christ's Second Appearing. Under their ministration, Ministers & Elders were appointed, to whom were intrusted the more immediate charge and protection of believers in the different Societies. Deacons were also appointed to officiate as acting Trustees of the temporal concerns of the believers, who were then collecting into families, and gathering into the order of the gospel. In this appointment David Meacham Sen.r and Jonathan Walker, were the first in temporal trust, and took the charge of superintending and regulating the consecrated interest and property of the Church, and by their labors and union its temporal affairs were brought into order.

As a preliminary to the establishment of gospel order in the Church, the members thereof entered into a solemn Covenant with each other, to stand as a united community, and keep the way of God in church relation, for the mutual support and protection of each other in their christian travel, both in things spiritual & temporal. In this covenant they freely gave themselves & services, together with all their temporal interest, to the service of God, for the support and

benefit of each other, and for such other pious and charitable uses as the gospel might require. As the light of the gospel increased in the church, and the necessity of further improvements opened to view, it was found expedient to renew this covenant, in order to amend its written form.

Tho' we consider the law of Christ planted in our souls as more valid, and more binding upon us than written laws, creeds or covenants; because, on our obedience to this law depend all our hopes of happiness here & hereafter. Yet, while our temporal property remains under the influence of human laws, written instruments may serve to protect it against all unjust and unlawful claims from those without, and against any infringement from the lawless invaders of our just & equitable rights and privileges. The written covenant, however, is but a transcript of the internal principles and law of Christ which govern and protect this Society.

It is worthy of remark that the first Covenant into which the members of the church unanimously entered was verbal; yet it was made in good faith, and being considered by them as a sacred contract which was religiously binding upon them, it was conscientiously kept. In the year 1795 it was committed to writing and signed by all the members. In 1801, it was renewed with the addition of some amendments that were found by experience to be essential. In March 1814, it was again renewed, with further amendments, and its written form considerably improved. But in all its amendments and improvements, the original, and main object of the covenant has always been kept in view, & the substance of it preserved entire.

It is now more than sixteen years since the last Covenant was executed. During this period the church has passed through many trying scenes, gained much valuable experience, and found a great increase of light and understanding, both in things spiritual and temporal. Hence some further amendments are found necessary to make the written covenant more complete in its provisions, and better calculated in its form for a general covenant, applicable to all the branches of the Society, where gospel order is established; to protect the church and its members in their religious and consecrated rights and privileges, and to give all concerned a more clear and explicit

Covenant Illustrated.

view of its nature and principles.

It is therefore agreed that the Covenant of the Church be renewed, and its written form revised and improved as in the following Articles.

New-Lebanon April 30th 1830.

The foregoing "Brief Illustration of the Principles on which the Covenant of the United Society is founded"; including also, a brief account of the gradual introduction of the Church Covenant into the first organized Church in the Parent Society at New-Lebanon, New-York; is considered as containing a full and satisfactory explanation of the true nature, end and design of the Church Covenant. We shall therefore, only premise a few facts relative to the history and organization of the Church or Branch at North-Union;— as follows. Viz.

The Branch of the United Society at North Union, Cuyahoga County, Ohio, was organized into Church order in the year 1828, under the ministration of Ashbel Kitchel and Lois Spinning, who were duly appointed and sent from the Church at Union Village, (Ohio,) by the Ministry * of said Church, to take the immediate care and superintendance of this Branch of the Society.—

Under their ministration the Church was gathered, and Elders were appointed to assist in the spiritual care and protection of the several families in the Society.— By them also, Return Russell, Elisha Russell, and John P. Root, were appointed Trustees of the temporal concerns of the Church.

At the above mentioned period of 1828, the Church in this place entered into, and executed their first Church Covenant, which has remained, unrevised, until the present date 1842.

---

* Which Ministry is the center of Influence to all the Branches in the West.

Covenant Illustrated.

In the year 1829, (shortly after we had executed our first church Covenant,) a new Edition of the church covenant was drawn up at New-Lebanon, (New-York) better calculated in its form as a general or uniform covenant applicable to all the branches of the Society. (See Brief Illustration," page 5" towards the bottom.) And as this form has met the universal approbation of Believers, and is now generally adopted by all the Societies-East and West.— Therefore, it is agreed, that in the present renewal of our church covenant, that we adopt the said form, as containing all the essential provisions of the former, and as giving a more clear and explicit view of the nature and principles of the church Covenant.

The undersigned, the Ministry of the United Society at New-Lebanon, having duly examined the following covenant which has been recommended to the Society, and agreed to, and regularly signed and sealed by the members of the church, do hereby approve and recommend the same, as a general covenant, or constitution, for the church at New-Lebanon and Water-Vliet, and also, for the United Society in all its Branches; wherever and whenever they may be prepared to adopt it.

Ebenezer Bishop
Rufus Bishop
Mary A. Landon
Asenath Clark.

New-Lebanon April 30th" 1830.

Covenant or Constitution.

Preamble.

We, the Brethren and Sisters of the United Society of Believers, (called Shakers,) residing in the Township of Warrens-Ville, County of Cuyahoga and State of Ohio, being connected together as a religious and social community, distinguished by the name and title of the Church of the United Society at North-Union; which, for a number of years past, has been established and in successful operation, under the charge and protection of the Ministry and Eldership thereof: — Feeling the importance, of not only renewing and confirming our spiritual covenant with God and each other, but also of renewing and improving our social compact, and amending the written form thereof. Do make, ordain & declare the following Articles of Agreement as a summary of the principles, rules and regulations established in the Church of said United Society, which are to be kept and maintained by us, both in our collective and individual capacities, as a Covenant or Constitution, which shall stand as a lawful testimony of our religious association before all men, and in all cases of question and law, relating to the possession and improvement of our united and consecrated interest, property and Estate.

Article II. Of the Gospel Ministry.

Section 1. Their origin, call and institution.

We solemnly declare to each other, and to all whom it may concern, that we have received and do hereby acknowledge as the foundation of our faith, order and government, the testimony or Gospel of Christ, in his first and second Appearing; and we do hereby solemnly agree to support and maintain the same as ministered by the founders of this Society, and kept and conveyed through a regular order of ministration down to the present day: And altho, (as a religious Society) we are variously associated, with respect to the local situations of our respective communities; yet we are known and distinguished as

Covenant or

a peculiar people, and consider and acknowledge ourselves members of one general community, possesing one faith, and subject to the administration of one united and parental government, which has been regularly supported from the first foundation pillars of the institution, and which continues to operate for the support, protection and strength of every part of the said community.

Section 2. Their order and office.

We further acknowledge and declare, that for the purpose of promoting and maintaining union, order and harmony throughout the various branches of this community, the primary authority of the Institution has been settled in the first established Ministry at New-Lebanon; there to rest and remain as the general center of union to all who stand in gospel relation and communion with this Society. The established order of this Ministry includes four persons, two of each sex.

Section 3. Perpetuity of their office, and how supplied.

We further acknowledge and declare, that the aforesaid primary authority has been, and is to be perpetuated as follows, namely; that the first in that office and calling possess the right, by the sanction of Divine Authority, given through the first founders of this Society, to appoint their successors, and to prescribe or direct any regulation or appointment which they may judge most proper and necessary respecting the Ministry, or any other important matter which may concern the welfare of the Church or Society subquent to their decease. But in case, no such appointment or regulation be so prescribed or directed, then the right to direct and authorize such appointments and regulations devolves upon the surviving members of the Ministry, in counsel with the Elders of the Church and others, as the nature of the case in their judgment may require. Such appointments being officially communicated to all con-

Constitution.

cerned, and receiving the general approbation of the Church, are confirmed and supported in the Society.

Section 4. Of the Ministerial Office in the several Societies or Communities.

We further acknowledge and declare, covenant and agree, that the Ministerial office and authority in any Society or community of our faith, which has Emanated, or may Emanate in a regular line of order from the center of union aforesaid, is, and shall be acknowledged, owned and respected as the spiritual and primary authority of such Society or community, in all matters pertaining to the Ministerial office: and in case of the decease or removal of any individual of said Ministry, in any such Society, his or her lot and place shall be filled by agreement of the surviving Ministers, in counsel with the Elders of the Church and others, as the nature of the case may require, together with the knowledge and approbation of the primary Ministerial Authority at New-Lebanon aforesaid, to which they are responsible.

Section 5. Powers and duties of the Ministry.

We further acknowledge and declare, that the Ministry being appointed and established as aforesaid, are vested with the primary authority of the Church and its various branches: hence it becomes their special duty to guide and superintend the spiritual concerns of the Society, as a body of people under their care and government, and in connection with the Elders in their respective families and departments, who shall act in union with them, to give and establish such orders, rules, and regulations as may be found necessary for the government and protection of the Church and Society within the limits of their jurisdiction: and also, to counsel, advise, and judge in all matters of importance whether spiritual or temporal. The said Ministry are also invested with authority in connexion with the Elders as aforesaid, to nominate and appoint to office, Min-

Covenant or

isters, Elders, Deacons and Trustees, and to assign offices of care and trust to such Brethren and Sisters as they, the said Ministry and Elders shall judge to be best qualified for the several offices to which they may be appointed. And we hereby covenant and agree, that such nominations and appointments being made and officially communicated to those concerned, and receiving the general approbation of the church, as aforesaid, or of the families concerned, shall thenceforth be confirmed and supported until altered or revoked by the Authority aforesaid.

Article III. Institution of the Church.

Section 1. The object and design of Church relation.

We further acknowledge and declare, that the great object, purpose and design of our uniting together as a church or body of people in social and ~~religious~~ compact, is faithfully and honestly to occupy and improve the various gifts and talents, both of a spiritual and temporal nature, with which divine wisdom has blessed us, for the service of God, for the honor of the gospel, and for the mutual protection, support, comfort and happiness of each other, as Brethren and Sisters in the gospel, and for such other pious and charitable purposes as the gospel may require.

Section 2. Who are not admissible into Church relation.

As the unity, purity, and stability of the Church essentially depend on the character and qualifications of its members; and as it is a matter of importance that it should not be encumbered with persons not duly qualified for that distinguished relation: Therefore we agree, that no member of any company or association in business or civil concern; no co-partner in trade; no person under any legal involvement or obligation of service; no slave nor slaveholder, shall be deemed qualified for admission into the covenant relation and communion of the Church.

Constitution.

Section 3. Preparation for admission into Church relation.

In order that Believers may be prepared for entering into the sacred privilege of Church relation, it is of primary importance that sufficient opportunity and privilege should be afforded under the ministry of the gospel for them to acquire suitable instruction in the genuine principles of righteousness, honesty, justice and true holiness; and also, that they should prove their faith and christian morality by their practical obedience to the precepts of the gospel, according to their instructions. It is also indispensably necessary for them to receive the uniting spirit of Christ, and to become so far of one heart and one mind, that they are willing to sacrifice all other relations for this sacred one. Another essential step is, to settle all just and equitable claims of creditors and filial heirs; so that whatever property they possess, may be justly their own. When this is done, and they feel themselves sufficiently prepared to make a deliberate and final choice to devote themselves, wholly, to the service of God, without reserve, and it shall be deemed proper by the Leading Authority of the Church, after ~~examination and due consideration~~, to allow them to associate together in the capacity of a Church, or a branch thereof, in gospel order; they may then consecrate themselves, and all they possess, to the service of God forever, and confirm the same by signing and sealing a written Covenant, predicated upon the principles herein contained, and by fulfilling, on their part, all its obligations.

Section 4. Admission of new members.

As the door must be kept open for the admission of new members into the Church, when duly prepared, it is agreed that each and every person who shall, at any time after the date and execution of the Church Covenant, in any branch of the community, be admitted into the Church, as a member thereof, shall previously have a fair opportunity to obtain a full, clear and explicit understanding of the object and design of the Church Covenant, and of the obligations it enjoins on the members.

Covenant or

For this purpose, he or she shall, in the presence of two of the Deacons or acting Trustees of the Church, read said Covenant, or hear the same distinctly read; so as to be able, freely to acknowledge his or her full approbation and acceptance thereof, in all its parts. Then he, she or they, as the case may be, shall be at liberty to sign the same, and having signed and sealed it, shall thenceforth be entitled to all the benefits and privileges thereof, and be subject to all the obligations required of the original signers: And the signature or signatures thus added, shall be certified by the said Deacons or Trustees, with the date thereof.

Section 5. Concerning Youth & Children.

Youth and Children, being minors, cannot be received as members of the Church, in its covenant relation; yet it is agreed that they may be received under the immediate care and government of the Church, at the desire or consent of such person or persons as have a lawful right to, or control of such minors, together with their own desire or consent; but no minor under the care of the Church, can be employed therein for wages of any kind.

Article IIII. Of the Trusteeship.

Section 1. Appointment, Qualifications, & Powers of the Trustees.

In the establishment of order in the various branches of the Society, it has been found necessary that superintending Deacons or agents should be appointed, and authorized to act as Trustees of the temporalities of the Church; Deaconesses are also associated with them to superintend the concerns of the female department. They must be recommended by their honesty and integrity, their fidelity in trust, and their capacity for the transaction of business. Of these qualifications the Ministry and Elders are to be the judges. These Trustees are generally known among us by the title of Office Deacons, and

Constitution.

being appointed by the Authority aforesaid, and supported by the general approbation of the Church, they are vested with power to take the general charge and oversight of all the property, estate and interest, dedicated, devoted, consecrated & given up for the benefit of the Church; to hold, ~~in trust~~, the fee of all lands belonging to the Church; together with all gifts, grants and donations, which have been, or may hereafter be dedicated, devoted, consecrated and given up, as aforesaid; and the said property, estate, interest, gifts, grants and donations, shall constitute the united and consecrated interest of the Church, and shall be held in trust by the said Deacons, as acting Trustees, in their official capacity, and by their successors in said office and trust forever.

Section 2. Duties of the Trustees.

It is, and shall be the duty of the said Deacons or acting Trustees to improve, use and appropriate the said united interest for the benefit of the Church, in all its departments and for such other religious and charitable purposes as the gospel may require; and also, to make all just and equitable defense in law, for the protection and security of the consecrated and united interest, rights and privileges of the Church and Society, jointly and severally, as an associated community, as far as circumstances and the nature of the case may require. Provided nevertheless, that all the transactions of the said Trustees, in the use, management, protection, ——— defense and disposal of the aforesaid interest, shall be for the benefit and privilege, and in behalf of the Church or of the Society, as aforesaid, and not for any private interest, object or purpose whatever.

Section 3. Trustees to give information and be responsible to Ministry and Elders.

It shall also be the duty of the said Trustees to give information to the Ministry and Elders of the Church, concerning the general state of the temporal concerns of the Church and

Covenant or

Society committed to their charge; and also to report to said authority all losses sustained in the united interest thereof, which shall come under their cognizance; and no disposal of any of the real estate of the Church, nor any important contract, involving the association in any manner, shall be made without the previous knowledge and approbation of the authority aforesaid, to whom the said deacons or Trustees are and shall at all times, be held responsible in all their transactions.

Section 4. Account Books and Books of Record to be kept.

It is, and shall be the duty of the said Trustees or Office Deacons to keep, or cause to be kept, regular Books of account, in which shall be entered the debt and credit accounts of all mercantile operations and business transactions between the Church and others; all receipts and expenditures, bonds, notes and bills of account, and all other matters pertaining to the united interest of the Church; so that its financial concerns may be readily seen and known whenever called for by the proper Authority: And also a Book or Books of Record, in which shall be recorded a true and correct Copy of this Covenant; also, all appointments, removals and changes in office of Ministers, Elders, Deacons & Trustees; all admissions, removals, decease and departure of members; together with all other matters and transactions of a public nature, which are necessary to be recorded for the benefit of the Church, and for the preservation and security of the documents, papers and written instruments pertaining to the united interest and concerns of the Church, committed to ~~their~~ charge. And the said Records shall, at all times, be open to the inspection of the leading Authority of the Church, who shall appoint an Auditor or Auditors to examine and correct any errors that may, at any time, be found in the accounts, and whose signatures and date of inspection shall be deemed sufficient authority for the correctness and validity of the facts and matters therein recorded.

Constitution.

Section 5. Trustees to execute a Declaration of Trust.

For the better security of the united and consecrated interest of the Church to the proper uses and purposes stipulated in this Covenant, it shall be the duty of the Trustee or Trustees who may be vested with the lawful title or claim to the real estate of the Church, to make and execute a "Declaration of Trust," in due form of law, embracing all and singular, the lands, tenements and hereditaments, with every matter of interest pertaining to the Church, which, at the time being, may be vested in him or them, or that may in future come under his or their official charge, during his or their said Trusteeship. The said declaration shall state expressly that such Trustee or Trustees hold such lands, tenements, hereditaments and all the personal property of every description belonging to the Church or Society, in trust, for the uses and purposes expressed in, and subject to the rules, regulations and conditions prescribed by the Covenant or Constitution of the said Church, or any amendments thereto which may hereafter be adopted by the general approbation of the Church, and in conformity to the primitive faith and acknowledged principles of the Society: And the said Declaration shall be in writing, duly executed under the hand and seal of such Trustee or Trustees, and shall be recorded in the Book of Records provided for in the preceding Section.

Section 6. Vacancies in certain cases how supplied.

We further covenant and agree, that in case it should at any time happen that the office of Trustee should become vacant, by the death or defection of all the Trustees, in whom may be vested the fee of the lands or real estate belonging to said Church or Society, then and in that case, a successor or successors shall be appointed by the constitutional authority recognized in this Covenant, according to the rules &

Covenant or

regulations prescribed by the same: and the said appointment being duly recorded in the Book of Records provided for in this Article, shall be deemed, and is hereby declared to vest in such successor or successors all the right, interest and authority of his or their predecessors in respect to all such lands, property or estate belonging to the Church or Society aforesaid.

Article IV. Of the Eldership.

Section 1. Choice and appointment of Elders.

The united interests and objects of Believers established in gospel order, require that Elders should be chosen and appointed for the spiritual protection of families who are to take the lead in their several departments in the care and government of the concerns of the Church, and of the several families pertaining to the Society. The number and order, should correspond with that of the Ministry. They are required to be persons of good understanding, of approved faithfulness and integrity, and gifted in spiritual administration. They must be selected and appointed by the Ministry who are to judge of their qualifications.

Section 2. Duties of the Elders.

As faithful watchmen upon the walls of Zion it becomes the duty of the Elders to watch over their respective families; to instruct the members in their respective duties: to counsel, encourage, admonish, exhort & reprove, as occasion may require: to lead the worship; to be examples to the members of obedience to the principles and orders of the gospel, and to see that the orders, rules, and regulations pertaining to their respective families or departments are properly kept.

Constitution.

Article V. Of family Deacons & Deaconesses.

Section 1. Their qualifications and appointment.

The Office of family Deacones and Deaconesses has long been established in the Church, and is essentially necessary for the care, management and direction of the domestic concerns in each family, order or branch of the Church. They are required to be persons of correct and well grounded faith in the established principles of the gospel; honest and faithful in duty; closely united to their Elders, and of sufficient capacity for business. Of these qualifications the Ministry and Elders are to be the judges. Their number in each family, is generally two of each sex, but may be more or less, according to the size of the family, and extent of their various duties.

Section 2. Their duties and obligations.

The Deacons and Deaconesses of families are intrusted with the care and oversight of the domestic concerns of their respective families. It is their duty to make proper arrangements in business; to maintain good order, to watch over, counsel and direct the members in their various occupations as occasion may require; to make application to the office Deacons for whatever supplies are needed in the several departments of the family; to maintain union, harmony and good understanding with the said office Deacons and Deaconesses, and to report to their Elders the state of matters which fall under their cognizance & observation. But their power is restricted to the domestic concerns of their respective families or departments, and does not extend to any immediate or direct correspondance or intercourse with those without the bounds of the Church. They have no immediate concern with trade and commerce; it is not their business to buy and sell, nor in any way to dispose of the property under their care, except with the union and approbation of the Trustees.

Covenant \ or

Article VII. Privileges & obligations of Members.

Section 1. Benefits and privileges of Members in Church Relation.

The united interest of the Church having been formed by the free will offerings and pious donations of the members respectively, for the objects and purposes already stated, it cannot be considered either as a joint tenancy or a tenancy in common, but a consecrated whole, designed for, and devoted to the uses and purposes of the gospel forever, agreeable to the established principles of the Church: Therefore, it shall be held, possessed and enjoyed by the Church, in their united capacity, as a sacred and covenant right; that is to say, all and every member thereof, while standing in gospel union, and maintaining the principles of this Covenant, shall enjoy equal rights, benefits and privileges, in the use of all things pertaining to the Church, according to their several needs and circumstances; and no difference shall be made on account of what any one has contributed and devoted, or may hereafter contribute and devote to the support and benefit of the Institution.

Section 2. Proviso.

It is nevertheless, provided, stipulated and agreed, that in case any one, having signed this Covenant, shall afterwards forfeit his or her claim to membership, by renouncing the principles of the Society, or by willfully and obstinately violating the rules and regulations thereof, then and in that case, his or her claim to all the aforesaid benefits, privileges and enjoyments, shall be equally forfeited.

Constitution.

Section 3. Obligation of Members.

As subordination and obedience are the life and soul of every well regulated community; so our strength and protection, our happiness and prosperity, in our capacity of Church members, must depend on our faithful obedience to the rules and orders of the Church, and to the instruction, counsel and advice of its Leaders. Therfore, we do hereby covenant and agree, that we will receive and acknowledge as our Elders in the gospel, those members of the Church who are or shall be chosen and appointed for the time being to that office and calling, by the authority aforesaid; and also; that we will as faithful Brethren & Sisters in Christ, conform and subject to the known and established principles of our community, and to the counsel and directions of the Elders, who shall act in union as aforesaid; and also to all the orders, rules and regulations which now are, or which may be given and established in the Church, according to the principles and by the Authority aforesaid.

Section 4. Duties of the Members.

The faithful improvement of our time and talents in doing good, is a duty which God requires of mankind as rational and accountable beings, and more especially as members of the Church of Christ; therefore it is, and will be required of all and every member of this institution, unitedly and individually, to occupy and improve their time and talents to support and maintain the interest of the same, to promote the objects of this covenant, and discharge their duty to God and each other, according to their several abilities and callings, as members in union with one common Lead; so that the various gifts and talents of <u>all</u>, may be improved for the mutual benefit of <u>each</u>, and all concerned.

Covenant or

Section 5. No special claims in case of removals.

As we esteem the mutual possession and enjoyment of the consecrated interest and privileges of the Church, a consideration fully adequate to any amount of personal interest, labor or service, or any other contribution made, devoted and consecrated by any individual, so we consider that no ground of action can lie, either in law or equity, for the recovery of any property or service devoted or consecrated as aforesaid. And we further agree, that in case of the removal of any member or members from one family, Society or branch of the Church to another, his, her or their previous signature or signatures to the Church or family covenant from whence he, she or they shall have removed, shall forever bar all claims which are incompatible with the true intent and meaning of this Covenant, in the same manner as if such removal had not taken place; yet all who shall so remove in union, and with the approbation of their Elders, shall be entitled to all the benefits and privileges of the family or order in which they shall be placed, so long as they shall conform to the rules and regulations of the same.

Article VII. Dedication and Release.

Section 1. Dedication of persons, services and property.

According to the faith of the gospel which we have received, and agreeable to the uniform practice of the Church of Christ from its first establishment in this Society, We Covenant and Agree to dedicate, devote, consecrate and give up, And by this covenant We do solemnly and conscientiously, dedicate, devote, consecrate and give up ourselves

Constitution.

and our services, together with all our temporal interest, to the service of God and the support and benefit of the Church of Christ in this community, and to such other pious and charitable purposes as the gospel may require, to be under the care and direction of the proper constituted authorities of said Church, according to the true intent and meaning of this Covenant, & the established rules and practice of the Church.

Section 2. Declaration and Release of private claim.

Whereas, in pursuance of the requirements of the gospel, and in the full exercise of our faith, reason and understanding, we have freely and voluntarily sacrificed all self-interest, and have devoted our persons, services and property as aforesaid, to the pious and benevolent purposes of the gospel: Therefore, we do hereby, solemnly and conscientiously, unitedly and individually, for ourselves, our heirs and assigns, release and quitclaim to the Deacons or those who, for the time being, are the acting Trustees of the Church, for the uses and purposes aforesaid, All our private personal right, title, interest, claim and demand, of, in and to the estate, interest property and appurtenances, so consecrated, devoted and given up: And we hereby jointly and severally, promise and declare, in the presence of God and before witnesses, that we will never hereafter, neither directly nor indirectly, under any circumstances whatever, contrary to the stipulations of this Covenant, make nor require any account of any interest, property, labor or service, nor any division thereof, which is, has been, or may be devoted by us, or any of us, to the uses and purposes aforesaid, nor bring any charge of debt or damage, nor hold any claim nor demand whatever, against the said Deacons or Trustees, nor against the Church or Society, nor against any member thereof, on account of any property or service given, rendered, devoted or consecrated to the aforesaid sacred and charitable purposes. And we also hereby ratify and confirm every

Covenant or

act and deed which we, or any of us, have acted or done agreeable to the true intent and meaning of this Covenant.

In Confirmation of all the aforesaid statements, Covenants, promises and Articles of agreement, we have hereunto subscribed our names and affixed or acknowledged our seals, on, and after this twenty fourth day of July in the year of our Lord and Savior, one thousand eight hundred and forty three.

No.			No.		
1	John P. Root	Seal	1	Susannah Sawyer	Seal
2	James S. Prescott	Seal	2	Permelia Torrey	Seal
3	Elijah Russell	Seal	3	Phebe her x mark Andrews	Seal
4	William Andrews	Seal	4	Polly Sawyer	Seal
5	Elisha Russell	Seal	5	Jerusha Russell 1st	Seal
6	Ambrose Bragg	Seal	6	Polly Sutton	Seal
7	Ebenezer K. Russell	Seal	7	Prudence Sawyer	Seal
8	Robert Skillicorn	Seal	8	Hannah Addison	Seal
9	Samuel Rickert	Seal	9	Caroline Bearss	Seal
10	Daniel Bennett	Seal	10	Mary Edminster	Seal
11	Lester G. Shepard	Seal	11	Rhoda Watson	Seal
12	Hugh Mc Quead	Seal	12	Melenda Russell	Seal
13	John Barry	Seal	13	Adeline Russell	Seal
14	Daniel N. Baird	Seal	14	Abagail Russell	Seal
15	Philander C. Cramer	Seal	15	Mary Ann Russell	Seal
16	John Norton	Seal	16	Sally Ann Cooper	Seal
17	George W. Ingalls	Seal	17	Margaret C. Swayer	Seal
18	Benjamin K. Shannon	Seal	18	Caroline Russell	Seal
19	James M. Mott	Seal	19	Melenda O. Torrey	Seal
20	Samel his x mark L. Kidney	Seal	20	Lydia Russell	Seal
21	Samuel S Miner	Seal	21	Harriet Shepard	Seal
22	Chester Risley	Seal	22	Sally Osterhold	Seal
23	George W. Pike	Seal	23	Sabina Daily	Seal
24	John Stark	Seal	24	Lucretia Sutton	Seal
25	Christian Stade	Seal	25	Eunice Bennett	Seal
26	Edward Russell	Seal	26	Lydia Russell	Seal
27	David W. Perry.	Seal	27	Alma Sawyer	Seal

Constitution.

No.
28 Roxanna Russell (Seal)
29 Candace Russell (Seal)
30 Lucy Cooper (Seal)
31 Emelia Young (Seal)
32 Jerusha Russell (Seal)
33 Mary Waggot (Seal)
34 Harriet Snook (Seal)
35. Lovina Sutton. (Seal)

We do hereby certify that on the twenty fourth day of July in the year of our Lord eighteen hundred and forty three, we were present and witnessed the signing of the foregoing Covenant by the members of the Church at North-Union, and each came forward voluntarily and subscribed their names in our presence, begining at No. 1. John P. Root, and ending at No. 27. David W. Perry also begining at No. 1. Susannah Sawyer, and ending at No. 35. Lovina Sutton.

Witness our hands:
Stephen Spining,
Daniel Boyd.

North Union. July 24.th 1843.

We, whose names are subjoined, make these our signatures to the foregoing Covenant or Constitution.

No.
28 Amasa Blodget. (Seal.)
29 Hiram Young. (Seal.)
30. Freeman Philips. (Seal.)

36 Phila Copley. (Seal)
37 Sarah-Ann Kenyon. (Seal)
38 Anna Bennett. (Seal)
39 Lydia-Ann Wells. (Seal.)

For witnesses see next page.

Covenant.

We, Ashbel Kitchell, and Sanford Russell, of Union-Village, and Daniel N. Baird, and Lester G. Shepard, Deacons of the church at North-Union, do hereby certify, that Amasa Blodget, Freeman Philips, Hiram Young, Phila Copley, Sarah-Ann Kenyon, Anna Bennett, and Lydia-Ann Wells, were, on this twenty third day of May in the year of our Lord 1845 duly admitted as members of the church, in joint union, according to the conditions stipulated in Article III. Sec. 4.th of the foregoing covenant, and voluntarily signed their names in our presence.

Ashbel Kitchell,
Sanford Russell,
Daniel N. Baird,
Lester G. Shepard.

North-Union May 23.d 1845.

Having examined the foregoing, I hereby certify that it is a true and correct Copy of the original Covennant or Constitution of the church at North Union, Cuyahoga County, Ohio, and that it is also, a true and correct Copy of the original and subsequent signers and witnesses to it, up to this date.

James L. Prescott.

North Union May 23.d 1845.

Copy. &c.

We, whose names are subjoined, make these our Signatures to the foregoing Covenant a Constitution.

May 22nd 1847.

No.			No.		
31	Riley Honey	Seal	40	Amarilla her X mark Choger	Seal
32	Oliver Wheeler	Seal	41	Abigail R. Russell	Seal
33	Thomas G. Giles	Seal	42	Susanna her X mark Ricket	Seal
34	William his mark Luey	Seal	43	Electa Phillips	Seal
35	Samuel Thomas	Seal	44	Mary Ann Countryman	Seal
36	Charles Taylor	Seal	45.	Julia Phillips.	Seal
37	John his X mark Jacobs	Seal			
38	Joseph Berger	Seal			
39	Henry Ersenger	Seal			
40.	Henry Ricket.	Seal			

We Ashbel Kitchell and Enoch Jacobs of Union Village, and Riley Honey and Elisha Russell Deacons or Trustees of the Church at North Union, do hereby certify, that Riley Honey, Oliver Wheeler, Thomas G. Giles, William Luey, Samuel Thomas, Charles Taylor, John Jacobs, Joseph Berger, Henry Ersenger, Henry Ricket, Amarilla Choger, Abigail R. Russell, Susanna Ricket, Electa Phillips, Mary Ann Countryman, and Julia Phillips, were on this 22" day of May 1847 duly admitted as members of the Church in joint union, according to the condition stipulated in Article II. Sec. 4" of the foregoing Covenant, and voluntarily signed their names to the same in our presence.

Asbel Kitchell,
Enoch Jacobs,
Riley Honey
Elisha Russell.

North Union May 22" 1847.

Copy.

I whose name is subjoined, make this my signature ~~to the foregoing~~ covenant or constitution.

No. 46. Mary Rickert. (Seal)

North Union May 24th 1847.

We Ashbel Kitchell and Enoch Jacobs of Union Village and Riley Honey & Elisha Russell, Deacons, or Trustees of the Church at North Union, do hereby certify that Mary Rickert, was, on this 24th day of May 1847: duly admitted as a Member of the Church in Joint Union, according to the conditions stipulated in Article II. Sec. 4th, of the foregoing covenant, and voluntarily signed her name to the same in our presence.

Ashbell Kitchell,
Enoch Jacobs,
Riley Honey,
Elisha Russell.

North Union, May 24th 1847.

We whose names are subjoined, make these our signatures to the foregoing covenant or Constitution.

No.			No.		
41	Nelson R. Phillips,	(Seal)	47	Arabella Shepard,	(Seal)
42	Luther Bailey,	(Seal)	48	Elizabeth R. Dence,	(Seal)
43	William R. Devan,	(Seal)	49	Sarah D. Buttolph,	(Seal)
44	George W. Jefferson,	(Seal)	50	Susan Miner,	(Seal)
45	Marcus H. Bennett,	(Seal)	51	Temperance Devan,	(Seal)
46	Thomas Martin,	(Seal)	52	Sophia Eve M. Hoffman,	(Seal)
47	John George Hoffman,	(Seal)	53	Lovina Dewey,	(Seal)
48	Thomas his X mark Osbury.	(Seal)	54	Sally Wells.	(Seal)
			55	Lucinda Countryman	(Seal)
			56	Clymena Miner,	(Seal)
			57	Manga Gould.	(Seal)

North Union, March 5th 1851.

Copy

We, Richard W. Pelham of Waterville, Ohio, and Jeremiah Ingalls of North Union, and Riley Honey, and James S. Prescott, Deacons, or Trustees of the church at North Union, do hereby certify, that William Devan, Nelson Phillips, Luther Bailey, George Jefferson, Marcus H. Bennett, Thomas Martin, John Geo. Hoffman, Thomas Osbury, Arabella Shepard, Elizabeth Deree, Sarah D. Buttolph, Susan Miner, Temperance Devan, Sophia Eve Ms. Hoffman, Lovina Dewey, Sally Wells, Lucinda Countryman, Clymenia Miner, and Manga Gould, were on this 5th. day of March, 1851. duly admitted as members of the Church in joint union according to the conditions stipulated in Article II. Sec. 4th. of the foregoing Covenant or Constitution, and voluntarily signed their names to the same in our presence.

R. W. Pelham,
Jeremiah Ingalls,
Riley Honey,
James S. Prescott.

North Union March 5th. 1851.

Copy

We whose names are subjoined make these our signatures to the foregoing Covenant or Constitution

No			Seal	No			Seal
1	Charels	Sweet	Seal	1	Laura	Houghton	Seal
2	Samuel G.	Hurlbut	Seal	2	Louisa	Hoffman (her mark)	Seal
3	William R.	Bennett	Seal	3	Babar	Cranz (her mark)	Seal
4	Sanford	Russell	Seal	4	Lesette	Walker	Seal
5	Jacob	Walker	Seal	5	Ruth	Butson	Seal
6	Christian	Lantz	Seal	6	Caroline	Wells	Seal
7	Henry	Mohler	Seal	7	Mary	A. Shephard	Seal
8	Peter	Brown	Seal	8	Polly	M. Devan	Seal
9	George (his mark)	Hunt	Seal	9	Hariet	Snyder	Seal
10	Henry	Oliver	Seal	10	Elmina	Phillips	Seal
11	William	W. Andrews	Seal	11	Lydia	Dewey	Seal
12	Sewel	G. Thayer	Seal	12	Ann	Rickerd	Seal
13	Henry	C Bush	Seal				
14	Oliver	Dewey (his mark)	Seal				

We Riley Honey and James S. Prescott legal Trustees of the Church at North Union and Sanford Russell acting Trustee do hereby certify that Charles Sweet, Samuel G. Hurlburt, William R. Bennett, Sanford Russell, Jacob Walker, Christian Lantz, Henry Mohler, Peter Brown, George Hunt, Henry Oliver, William W. Andrews, Sewel G. Thayer, Henry C Bush Oliver Dewey, Laura Houghton, Loisa Hoffman, Barbaa Cranz, Lesetta Walker, Ruth Buttson, Caroline Wells, Mary A. Shepard, Polly M. Devan Harriet Snyder, Elmina Phillips Lydia Dewey, and Ann Rickert, were on this 1st day January 1857 duly admitted as members of the Church in joint union accoarding to the conditions stipulated in article II. Sec. 4th of the foregoing Covenant, and voluntarily signed their names to the same in our presence.

Jan. 1st 1857

Trustees. { Riley Honey,
James S. Prescott,
Sanford Russell.

References.

Dates.		Page
1850.	Copy of a General Deed. See page, =	115.
" 1850.	Copy of Deeds, &c. Beginning on page	121.
" 1851.	Copy of a Declaration of Trust. see page,	126.
" 1866.	Copy of a Letter from Judge Starkweather	132.
" 1866.	Copy of the original Letter, See last page-	"
" 1876.	Copy of a General Deed, again.- " " "	" 135.
1875.	Copy of a proposed Amendment to the Covenant-	144.
1875.	Copy of Remarks, by E. Sowers, " "	146.
1880.	Copy of a Deed to a new Board of Trustees	151.
1880.	Copy of a Declartion of Trust. See page-	154.

Copy of Deed - A General Deed.

To all to whom these presents shall come, Greeting.

Whereas by means of several deeds of conveyance upon Trust, duly executed, acknowledged, and recorded in Cuyahoga County Records of Deeds, in Volume 42. at pages 77. 78. and 79. and also at pages from 100 to 104 of the same Volumes We the undersigned Peter Boyd and Jesse Ligire, Trustees, as herein after particularly stated and defined, were intrusted with the several Lots and parcels of Land hereafter, in this Deed, in a special manner described, to hold the same in trust to and for the sole and exclusive use, benefit & advantage of the United Society of Believers commonly called Shakers at Union Village, Warren County, Ohio, the same to be and forever remain inviolably in the possession and disposal of the Trustees or Deaconship of the said Church or Society, their successors and assigns, in a line of succession, occupancy and use, regularly appointed, according to the true interest and meaning of the rules and regulations of the said Church or Society and the Constitution or Covenant thereof, the same being particularly quoted and referred to in the said Deeds above mentioned. Now therefore, know ye, that we, Peter Boyd and Jesse Legire, of Warren County, Ohio, Trustees of the Church and United Society of Believers, commonly called Shakers, at Union Village in the said County of Warren, in conformity with the provisions of the Constitution, rules, and regulations, and the administration thereof of the said Church and Society, and also in conformity with the true design of the powers granted to us in and by the said deeds of conveyance as above made mention of, and the trusts therein committed to us - in consideration of the premises, and of the sum of One dollar to us in hand paid, to our full satisfaction, by Kiley Honey and James S. Prescott, Trustees of the Church and United Society of Believers known and designated as Shakers,

Copy of Deed.

at North Union, Cuyahoga County, Ohio, the same being a branch of the before mentioned Church and Society at Union Village, in the County of Warren aforesaid, have granted, bargained, sold, remised, released, aliened, quitclaimed and confirmed, and by these presents do grant, bargain, sell, remise, release, alien, quit claim and confirm unto the said Riley Honey and James S. Prescott Trustees as aforesaid, their heirs, assigns, and successors in office forever in trust as herein after particularly expressed, all our right, title, interest, and estate, both legal and equitable of, in and to the several lots, tracts and parcels of Land herein after particularly described being the same that are mentioned and described in the said Deeds herein before referred to, Situate, lying and being in the County of Cuyahoga, and State of Ohio, as by reference to the said before mentioned deeds may more fully appear, that is to say,- Of lands situate in the Township of Warrens-Ville, being Township number Seven, in the Eleventh Range of townships, in the Connecticut Western Reserve, County and State aforesaid, as follows — One lot of Land known and distinguished as lot number (11) Eleven in said township, bounded north by lot No. One, East by lot No. twelve, South by lot No. Twenty one, and West by the western boundary line of said Warrens-Ville township, supposed to contain one hundred sixty three acres of land, be the same more or less. Also in the same township of Warrens-Ville, One lot of Land known and distinguished as lot No. (12) twelve, bounded north by lot No. (2) Two, East by lot No. Thirteen, (this line being situated in the centre of a public highway,) South by lot No. twenty two, this line also being occupied as a public highway in its eastern part,) — And West by lot No. 11. Eleven in said Township — Excepting Twenty acres of land lying in the south East corner of the north half of said lot No. (12.) twelve, extending Eighty rods east and west, and forty rods north & South.

The twenty acres excepted as above as not hereby conveyed. The said lot No. (12) twelve, be the same more or less, is supposed to contain, Exclusive of the x 20 Acres as above excepted, One hundred and forty two acres nearly, (probably some short of that.) Also, in the township of Warrensville aforesaid, one lot of Land known and distinguished as lot No. (21.) Twenty one, of that township, bounded North by lot No. Eleven, East by lot No. twenty two, South by lot No. Thirty one, and West by the western boundary line of said Warrensville x Township, containing one hundred and sixty acres, be the same more or less. Also in the aforesaid Township of Warrensville, in the said County of Cuyahoga, one lot of Land known and distinguished as lot number (22) Twenty two of the said township, bounded north by lot No. (12.) Twelve, (boundary line mostly in the centre of the highway,) - East by lot No. Twenty three (this boundary line, also is in the center of the highway) - South by lot No. Thirty two, and West by lot No. Twenty one, in said Township of Warrensville, number seven, in the Eleventh Range of townships in the Connecticut Western Reserve as aforesaid, containing x One hundred and sixty two Acres of land, be the same more or less. Also, in the aforesaid township of Warrensville (Number Seven as above,) One lot of Land known and distinguished as lot No. (23.) Twenty three, of the said township, bounded North by lot No Thirteen, (boundary line in center of the highway,) East by lot No. Twenty four, South by lot No. Thirty three, and West by lot No. Twenty two, previously described herein, (this boundary line is in the center of the public highway,) - Lot (23) Twenty Three, x as above as above contains One hundred and fifty five Acres, be the same more or less. Also, in the aforesaid Township of Warrensville, One lot of Land known and distinguished as lot No. (34) Thirty four of the said Township, bounded North by lot No. Twenty four, East by lot No. Thirty five, South by lot No. forty four, and West by lot No.

Copy of

Thirty three in said Township of Warrensville aforesaid; Containing One hundred and fifty nine acres, be the same more or less. Also in the aforesaid Township (No. (7.) seven) in the Eleventh Range of Western Reserve Townships as aforesaid, Part of lot No. (33.) Thirty three, in two parcels, as follows, viz. The first piece or parcel of said lot (33) Thirty three, hereby conveyed, is One hundred Acres, set off in rectangular form so as to embrace the East part of the said lot, that is, the East 100 acres thereof, bounded north by lot No. Twenty three, East by lot No Thirty four, South by lot No. Forty three, and West by the remaining part of the said lot, (33.) Thirty three, is the north thirty six acres of the said remainder thereof, set off by a line parallel to the north line thereof, and placed so far south as to include that quantity of land, bounded north by lot No. Twenty three, East by the west line of the aforesaid East 100 acres of said lot 33. - South by a portion of land still remaining of said lot 33, and not hereby conveyed - and West by lot No. Thirty two - (this last described boundary line is in the center of a public highway.) The said two parcels hereby, (East part & north West part,) of said lot 33, contain One hundred and thirty six acres, be the same more or less. Also in the said Township of Warrensville in the County aforesaid, a Tract, piece or parcel of Land, being the north part, (surveyed and set off,) - of lot number (32.) Thirty two, in the aforesaid township No. seven, in the Eleventh Range of townships, in the Connecticut Western Reserve, bounded north by lot No. Twenty two, East by lot No. Thirty three, (this line being in the center of a public high way.) South by the remainder of said lot No. (32.) Thirty two, and West by lot No. Thirty One of said Township, so as to contain Sixty Acres and sixty perches of land. Also all that lot or parcel of land lying and being in the County of Cuyahoga and State aforesaid, known and distinguished as lot Number (422.) Four hundred and twenty two, in Tract (4.) Four, Range (12.) Twelve and Township number (7.) Seven, formerly New Burg Township, in the Connecticut Western Reserve bounded

north by lot No. four hundred and fourteen, East by the eastern boundary line of the last above mentioned township - South by lot No. Four hundred and thirty, and West by the Western boundary line of the said lot four hundred and twenty two. The said lot, be the same more or less, is supposed to contain One hundred and two Acres of land, nearly or quite, (probably some short of that) - Also Fifteen Acres of land to be taken from off the South End of lot number (414) Four hundred and fourteen, in the same Range, Township and Section that are herein before lastly described, which said Section is, Section No. Fourth, bounded north by that part of said lot No. (414) not hereby conveyed, East by the Eastern boundary line of the said Township (No. 7.) in the twelfth Range of townships as aforesaid, of which the here described lot is part - South by the aforesaid hereby conveyed lot No. Four hundred and twenty two. And West by the Western boundary line of the said lot No. Four hundred and fourteen. The same lands and no other, in the aforesaid County of Cuyahoga, that were conveyed to us, the said Peter Boyd & Jesse Legier, by virtue of the several deeds first herein above mentioned, are intended to be conveyed in this deed. Together with all and singular the hereditaments and appurtenances to the said several lots, tracts, and parcels of land herein before mentioned, belonging, or in any wise appertaining, And all the estate, right, title, interest, claim or demand whatsoever of the said Peter Boyd and Jesse Legier, either in law or equity, of, in, and to, said premises, with the hereditaments and appurtenances thereunto belonging. To have and to hold the several lots, tracts, and parcels of land and premises herein before described, to the said Riley Honey and James S. Prescott, Trustees as aforesaid, their heirs successors, and assigns forever, in trust. to and for the sole and exclusive use, benefit and advantage of the said United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio, and for no other use, purpose or design whatever, And to be, and remain inviolably in the possession, and at the dis-

Copy of a General Deed.

posal of the Trustees, or Deaconship of said Church or United Society in a regular line of succession forever, according to the true intent and meaning of the rules and regulations of said Church or Society, and the Constitution or Covenant thereof, as ratified and confirmed, on the 31.st day of December A. D. 1829.

In Testimony whereof, the said Peter Boyd and Jesse Legier, have hereunto set their hands and seals, this 18.th day of June A. D. 1850.

Signed, Sealed, Executed, and delivered in presence of

Isaac Morris,
Ann Chambers.

Peter Boyd. L. S.
Jesse Legier. L. S.

The State of Ohio } L. S.
Warren County. }

On the 18.th day of June 1850 personally appeared before the undersigned, one of the Justices of the Peace within and for the County of Warren, Ohio, The within named Peter Boyd, and Jesse Legier, who acknowledged the signing and sealing of the foregoing Deed of Conveyance, to be their voluntary act and deed, for the uses and purposes therein mentioned.

Given under my hand and Seal the day and year above written.

Isaac Morris. J. P. L. S.

Recorded August 12.th 1850. in Cuyahoga County Records, Vol. 47 pages 130-1-2-3.

John Packard,
Dep. Recorder.

Copy.

Know all men by these presents, that I Elisha Russell of Warrensville, County of Cuyahoga, and State of Ohio, for divers good causes and considerations thereunto moving, especially for One dollar, received to my full satisfaction of Riley Honey and James S. Prescott, Trustees of the Church and United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio, have given, granted, remised, released and forever quit claimed, and do by these presents, absolutely give, grant, remise, release, and forever Quit Claim unto the said Riley Honey, and James S. Prescott, Trustees as aforesaid, their heirs, assigns and successors in office forever, In Trust, as hereinafter particularly mentioned, all my right, title, interest and estate, both legal and equitable, in, and to, the piece or parcel of land described as follows. All that lot or parcel of land lying and being in Warrensville, Township number Seven, in the Eleventh Range of Townships, in the Connecticut Western Reserve, County of Cuyahoga, & State of Ohio, and is known by being the West part of lot number twenty four, in said township, and is bounded as follows, viz. Beginning at the North West corner of the said lot No. (24) twenty four. Thence Southerly on the west line of said lot to the South West corner of the same, forty chains. Thence Easterly, on the South line of said lot, to the South East corner of a tract, or parcel of land known and designated as the West 70 Acres of said lot 24, which was on the 24th day of July 1843. deeded by Samuel Dickinson to the aforesaid Elisha Russell, seventeen chains and fifty links. Thence northerly on the East line of the said 70 Acre parcel of land, to the South East corner of twelve Acres of land, recently conveyed by the said Elisha Russell, to Richard Penty, (20.) twenty chains. Thence West on the south line of said Penty's land, to the South West corner thereof, six chains. Thence north on the West line of said Penty's land, parallel to the line first described to the north line of said lot No. (24) twenty four, twenty Chains. Thence westerly on said north line to the

Deed.

place of beginning, Eleven chains & fifty links. containing fifty eight Acres of land, be the same more or less. with all the appurtenances, water courses and privileges, to said premises belonging or appertaining. To have and to hold the premises aforesaid unto them, the said Riley Honey and James S. Prescott, Trustees as aforesaid, their heirs, successors and assigns forever In Trust, with all the said privileges, appurtenances, and water courses, to and for, the sole and exclusive use, benefit and advantage of the said United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio, and for no other use purpose or design whatever, and to be and remain inviolably in the possession, and at the disposal of the Trustees or Deaconship of the said church or United Society in a regular line of succession forever; according to the true intent and meaning of the rules and regulations of said Church or Society, and the Constitution or Covenant thereof, as ratified and confirmed on the thirty first day of December A. D. 1829.

In witness whereof, I have hereunto set my hand and Seal the first day of May, in the year of our Lord, one thousand eight hundred and fifty.

In presence of,
Milo Gleason,
Louisa Gleason.

Elisha Russell. L.S.

The State of Ohio,
Cuyahoga County. ss.

Warrensville May 1. 1850.

Personally appeared, Elisha Russell, who acknowledged that he did sign and seal the foregoing instrument - And that the same is his free act and deed. - Before me.

Milo Gleason, Jus. Peace.

Recorded May 11. 1850. in Cuyahoga County Records. Volume 45. pages 670 - 1

John Lackard Dep. Recorder -

Copy.

Know all men by these presents, that we, Richard Penty and Ihne Penty, his wife, of Warrens-Ville, County of Cuyahoga and State of Ohio, for the consideration of the sum of three hundred dollars, received to our full satisfaction of Riley Honey and James S. Prescott, of the same County and State, Trustees of the Church and United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio, do give, grant, bargain, sell, and confirm unto them, the said Riley Honey and James S. Prescott, Trustees as aforesaid, their heirs, assigns and successors in Office forever, In trust, as hereinafter particularly mentioned, all that certain piece, parcel or tract of land described as follows— Situate in the Township of Warrens-Ville, being township number Seven in the Eleventh Range of townships, in the Connecticut Western Reserve, in the State of Ohio, and which is also in the County of Cuyahoga, and is known by being the South West part of lot No. (13) thirteen, and is bounded as follows— Beginning at the South West Corner of said lot No. (13.) thirteen and running thence East on the original line of lots to land deeded to Abel Shepard to David Huntingdon, twenty two chains, and 34 links, Thence North on said Huntingtons West line to a post four chains 47 & 2/3 links— Thence west parallel to the said South line of the lot, to the west line of the said lot No. (13) thirteen twenty two chains and 34 links— Thence South on said west line to the place of beginning, four chains 47 & 2/3 links. Containing ten Acres of land. (Subject to all Legal Highways—) together with all the privileges and appurtenances (including water courses if any there be,) to the said premises belonging, or in any wise appertaining. To have and to hold the premises aforesaid, unto them the said Riley Honey and James S. Prescott Trustees as aforesaid, their heirs, successors & assigns forever in trust, with all the said privileges, appurtenances and water courses, to and for the sole and exclusive benefit and advantage of the said United Society of Believers, commonly called Shakers at North Union,

Copy of

Cuyahoga County, Ohio, and for no other use, purpose, or design whatever, and to be and remain inviolably in the possession and at the disposal of the Trustees or Deaconship of the said Church or United Society in a regular line of succession forever; According to the true intent and meaning of the rules and regulations of said Church or Society, and the Constitution or Covenant thereof, as ratified and confirmed on the thirty first day of December A. D. 1829. And we the said Richard Penty and Jane Penty do for ourselves, our heirs, executors and administrators, covenant with the said Riley Honey and James S. Prescott, Trustees as aforesaid, their heirs Successors, and assigns, that at and until the ensealing of these presents, he, the said Richard Penty is lawfully and well seized of the premises, as a good and indefeasible estate in Fee Simple, and hath good right to bargain and sell the same in manner and form as above written, and that the same is free from all incumbrances whatsoever. And furthermore, we the said Richard Penty and Jane Penty do by these presents bind our selves, our heirs, forever, to Warrant and Defend the above granted and bargained premises to them the said Riley Honey and James S. Prescott Trustees as aforesaid, their heirs, Successors, and Assigns, as herein before are more specially defined, to be held in Trust as aforesaid, for the above mentioned Church and United Society, and for such purposes and uses as are in this Deed particularly expressed, against all lawful claims and demands whatsoever.

And I the said Jane Penty do hereby remise, release, and forever quit claim unto the said Riley Honey and James S. Prescott in trust as aforesaid, and to their heirs, successors in office, and assigns, for such uses and purposes as are herein before written all my right and title of dower, in the premises herein described and intended to be conveyed.

In Witness Whereof, we have hereunto set our hands and Seals the first day of May in the

Deed.

year of Our Lord One thousand eight hundred and fifty.

Richard Penty, (Seal.)

Jane Penty, (Seal.)

Signed sealed and delivered In presence of

Milo Gleason,
Louisa Gleason.

State of Ohio
Cuyahoga County SS. This day personally appeared Richard Penty and Jane Penty his wife, the grantors in the above conveyance, and acknowledged the signing and sealing thereof, to be their free act and deed. And further I certify that I did examine the said Jane Penty seperate and apart from her said husband, and the contents of the foregoing instrument I did then and there make known to her; and upon that examination she declared that she voluntarily did sign, seal, and acknowledge the same, and that She was still satisfied therewith. Given under my hand at Warrens-Ville, May 1. 1850.

Milo Gleason. Jus. peace.

Copy of a Declaration of Trust.

This Indenture made and entered into this fifth day of May in the year of our Lord Eighteen hundred and fifty one, between Riley Honey and James S. Prescott Trustees of the Church or Community of Believers, otherwise called the United Society, (known commonly by the name of Shakers,) at North Union in the County of Cuyahoga and State of Ohio, of the first part; And Samuel Russell, Chester Risley, and Hiram Young, members of said Church, for and on behalf of said Church, or Community of Believers aforesaid of the second part, Witnesseth. That whereas by a certain Indenture or Deed of conveyance bearing date the Eighteenth day of June in the year of our Lord, Eighteen hundred and fifty, made between Peter Boyd and Jesse Legire of Warren County, Ohio, Trustees of the Church and United Society of Believers commonly called Shakers, at Union Village in the said County of Warren, of the first part, and the said Riley Honey and James S. Prescott Trustees as aforesaid of the second part, there was granted, bargained, sold, remised, released, alieved, quit claimed and confirmed unto the said Riley Honey and James S. Prescott Trustees as aforesaid, their heirs, assigns, and successors in office forever, In Trust, All the right, title, interest and estate of the said Peter Boyd and Jesse Legire Trustees as aforesaid, both legal and equitable, of, in and to all the several lots, tracts and parcels of land particularly described in the said Indenture or DEED, as being situated and lying in the aforesaid County of Cuyahoga and State of Ohio, as by reference to the said before mentioned Indenture or Deed of conveyance, or the record thereof, may more fully appear; together with all and singular the rights and privileges, and all the claim, interest, or demand whatsoever of the said Peter Boyd and Jesse Legire the aforesaid Trustees, either in law or equity, of, in, and to the said premises, with the hereditaments and appurtenances thereunto belonging or in any wise appertaining. And whereas also, by a certain other Indenture or DEED of conveyance bearing date the

first day of May in the year of our Lord Eighteen hundred and fifty, made between Richard Penty and Penty his wife of the first part, and the said Riley Haney James S. Prescott Trustees as aforesaid of the second part, there was given, granted, bargained, sold, aliened and confirmed unto the said Riley Haney and James S. Prescott Trustees as aforesaid, their heirs, assigns, and successors in office forever, in trust, all that certain tract or lot of land described as follows: Situate in the township of Warrensville, being township number seven in the eleventh range of townships, in the Connecticut Western Reserve, in the State of Ohio, and which is also in the County of Cuyahoga, and is known by being the South West part of lot number (13) thirteen, and is bounded as follows— Beginning at the South West corner of said lot number (13) thirteen, and running thence East on the original line of lots to land deeded by Abel Shepard to David Huntington, twenty two chains & 37 links, Thence north on said Huntington's west line to a post, four chains 47 & 2/3 links— Thence West, parallel to the said south line of the lot, to the west line of the said lot No. (13) thirteen twenty two chains & 37 links— Thence South on said West line to the place of beginning, four chains 47 & 2/3 links. Containing ten acres of land— (Subject to all legal Highways)— together with all the privileges and appurtenances (including water courses if any there be,) to the said premises belonging, or in anywise appertaining, with covenants of Seizin and Warranty. And whereas also, by a certain other Indenture or Deed of conveyance bearing date the first day of May in the year of our Lord, one thousand eight hundred and fifty, made between Elisha Russell of the first part, and the said Riley Haney and James S. Prescott Trustees as aforesaid of the second part, then was given, granted, remised, released and forever quit-claimed unto the said Riley Haney and James S. Prescott Trustees as aforesaid, their heirs, assigns, and successors in office forever, in trust, all the right, title, interest,

Copy of a Declartion of Trust.

and estate of the said Elisha Russell, both legal and equitable, of, in and to, the piece or parcel of land lying and being in Warrens-Ville, Township number seven, in the Eleventh Range of Townships, in the Connecticut Western Reserve, Cuyahoga County and State of Ohio, and which is known by being the west part of lot number twenty four in said township, and is bounded as follows, viz. Beginning at the Northwest corner of the said lot No. (24) twenty four, Thence Southerly on the west line of said lot to the south West corner of the same, forty chains. Thence easterly on the South line of said lot, to the south east corner of a tract of parcel of land known and designated as the west 70 Acres of said lot 24, which was on the 24th day of July 1848. deeded by Samuel Dickinson to the aforesaid Elisha Russell, Seventeen chains and fifty links. Thence northerly on the East line of the said 70 Acre parcel of land, to the south East corner of twelve Acres of land recently conveyed by the said Elisha Russell to Richard Penty, (20) twenty chains — Thence west on the south line of said Penty's land to the South West corner thereof, six chains. Thence north on the west line of said Penty's land, parallel to the line first described, to the north line of said lot No. (24) twenty four, twenty chains. Thence westerly on said north line to the place of beginning, Eleven chains & fifty links. Containing fifty eight acres of land, be the same more or less, with all the appurnances, water courses and privileges, to the said premises belonging or appertaining — To have & to hold the same, unto the said Riley H Coney and James L. Prescott Trustees, their heirs, assigns, and successors forever, to the only proper use, benefit and behoof of the said Church or Community to be and remain forever in the lawful possession, management and control and disposal of the Trustees for the time being, of the said Church or Community forever, according to the true intent and meaning of the rules and regulations of the said Church, Community or Society, and

and the Constitution or Covenant thereof, as ratified and confirmed on the thirty first day of December A. D. 1826: And whereas by the fifth section of the third Article of said last mentioned Constitution or Covenant it is provided that," For the better security of the Consecrated and United Interest of the Church to the proper uses and purposes stipulated in this Covenant, It shall be the duty of the Trustee or Trustees, who may be vested with the lawful title or claim to the Real estate of the Church, to make and execute a Declaration of Trust in due form of Law, embracing all & singular the lands, tenements, and hereditaments with every matter of interest pertaining to the Church which at the time being may be vested in him, or them, or that may — in future come under his or their charge of office, during his or their said Trusteeship. And the said Declaration so executed shall be recorded in the Book of Records provided for in the preceding section." Now in order to carry into effect the true intent and meaning of the said Constitution or Church Covenant, and to remove all doubt and difficulty, which might or could hereafter arise, as to the capacity in which, or the uses and purposes for which we hold the said several tracts, lots, or parcels of land herein before particularly mentioned, described or referred to: We, the said Riley Coney and James S. Prescott Trustees as aforesaid, do hereby declare, proclaim, and make known, that the said tracts, lots, or parcels of land herein before mentioned, or to which reference is herein made by describing the deed thereof, were conveyed to us, our heirs, assigns, and successors, in our capacity as Trustees of said Church or Community of Believers at North Union aforesaid: That the — said several tracts, lots, or parcels of land, with the exception of two Acres thereof, (which said two Acres will be hereafter in this declaration more particularly described,) are held by us to the only proper use benefit and behoof the said Church or Community aforesaid, and to be and remain forever in the lawful possession, management, con-

Copy of a Declaration of Trust.

trol and disposal of the Trustees for the time being of said Church or Community according to the true intent and meaning of the Constitution or Covenant of the Church herein before referred to: That the legal title to the same is vested in us for the use and benefit of said Church: That it is not, and never was intended by us, by the use of the word "heirs" in the said Indentures to vest in us a fee simple in either or any of the said tracts of land independent of the Trust and intention herein expressed; but that said phraseology, and particularly said word "heirs" was used to divest the said Trustees, Peter Boyd and Jesse Legire, also the said Richard Penty and his wife Jane, and also the said Elisha Russell, of their titles respectfully, in and to the said tracts of land, and to vest in us as Trustees of said Church or Community a perfect indefeasible title in fee simple to the same, not for our own individual use and benefit, (further than is contemplated by said Constitution or Church Covenant;) but for the use and benefit of said Church and Community according to the true intent and meaning of said Covenant. And to effect and consumate this intention, We do hereby obligate and bind ourselves, our heirs, Executors, and Administrators, whenever called upon & required by the regularly constituted Organs or Agents of said Church or Community, to execute, sign, Seal, and deliver to the Trustees of said Church or Community for the time being, or such other person as may be legally designated according to said Covenant to receive the same, the necessary and proper Deed conveyance, or transfer, for the said herein before mentioned tracts of land, or any other tract or tracts of which we may hereafter be seized in our capacity of Trustees, as aforesaid, of said United Society of Believers at North Union. transferring all our interest as Trustees as aforesaid in said property and securing it to the Trustees who may be in Office for the time being, for the use and benefit of said Church and Community according to the Constitution and Covenant aforesaid.

Copy &c.

Description of the two Acres herein before made mention of and excepted in the foregoing declaration, as follows. The said two Acres of land lie in the form of a parallelogram, twenty chains in length, north and south, and one chain in breadth, east and west, and have since the said first day of May 1850. been sold and deeded from the said Riley Y Coney and James S. Prescott the Trustees aforesaid to Richard Penty, who is owner of adjoining lands; - these two Acres being the easterly part of the northern portion of that part of lot number (24) twenty four, in the township of Warrens Ville aforesaid, which is herein before described as being comprised in the conveyance from Elisha Russell to the aforesaid Trustees, Riley Y Coney and James S Prescott.

In witness whereof, the said Riley Y Coney and James S. Prescott Trustees as aforesaid, have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and delivered, in presence of
Lester G. Shepard,
Ebenezar R. Russell.

Riley Y Coney, (Seal.)
James S. Prescott. (Seal.)

Trustees of the Church or community of Believers, otherwise called, The United Society at North Union, Cuyahoga County, Ohio.

Whereas, we the newly appointed Trustees, in place of Riley Y Coney, being officially released, do hereby voluntarily subscribe our names, and affix our Seals, to the foregoing "Declaration of Trust," and all that is therein expressed or implied, according to the true intent and meaning of the Church Covenant.

In Witness Whereof, we hereunto set our hands, and seals, this 12th day of May A.D. 1876.

Signed, Sealed, and delivered, in presence of,
Jewel G Thayer,
John Blot,

James S. Prescott. (Seal)
George W. Ingalls (Seal)
Samuel S. Wilmer (Seal)

Copy of a Letter, from Judge Starkweather,

Dated Cleveland, O. Jan, 1866.

"Riley Money and James S. Prescott." Legal Trustees.

"Dear Friends."

"Almost from the beginning of your Society at North Union, I have been acquainted with it, and have enjoyed the friendship, of its good members, and always have had their confidence.

I am quite sure that no person outside of your Society has felt a greater interest in its welfare than myself. I have felt a solicitude for it in the trials to which it has often been subjected. And it has been with great satisfaction that I have seen it surmount all its difficulties, and stand, before the world, respected and without reproach.

The object of this short note, however, is not to write an eulogy, but lest there may arise some misunderstanding on the part of those who may come after us, I have thought it proper to say, that for any services I have rendered the Society, as Attorney, Counsellor, or in any way, I have never made a charge; nor for any such services is your Society or any Trustee, or member of it, indebted to me.

In fact, it never was indebted to me for any such services. I have been more than paid in the satisfaction it has given me to stand up for the Society - And in the friendly presents it has so often made to me and my family.

With sincere wishes for your continued welfare, I subscribe myself, as ever,

Your friend,

Sam'l Starkweather.

Hon. Judge Starkweather, departed this life on Wednesday, about 4 o'clock, P. M. July 5th. 1876. in the 77 year of his age.

Disease – Rheumatism of the Heart. –

of the City fathers –

Thus has fallen one, full of years, and full of honors. His funeral was largely attended at his house on Euclid Avenue, By lawyers, Judges, members of the bar, members of the first Presbyterian Church, to which his wife belonged, and citizens generally, were in attendance, – and likewise Elder Pomeroy and myself. –

Jas. S. Prescott.

North Union, July 15th. 1876.

Note of Explanation.

Judge Starkweather, had been identified with us, as our Attorney and Counsellor at law, for the last forty years, and done more good in defending the rights of the "Shakers" in Cleveland, than he possibly could if he had been gathered in among Believers.

Twice he had been elected Mayor of the City, and once a Judge of the Court of Common Pleas. And what was most singular, he never made up any charge, therefore, to perpetuate the memory of this good man, we enter his name upon our official Records, to be handed down, ~~to future generations~~, as an illustrious example, worthy of imitation.

J. S. P.

1875. New Legal Trustees, Appointed

August 8th. According to the provisions made in Sec. VII - Article VIII. of the Covenant of the Church see page 17, of this Book, the following named persons were appointed by the constituted Authority of said Covenant, and ratified by its members, viz, James S. Prescott, George W. Ingalls, and Samuel S. Miner, the last two were newly appointed, to fill the vacancy occasioned by the removal of Rily Coney, being officially released, in consequence of deafness, and the infirmities of old age.

Legal Trustees. James S. Prescott,
George W. Ingalls,
Samuel S. Miner.

North Union, August 8th. 1875.

Declaration of Trust.

Whereas, we the legal Trustees, of North Union, having signed the foregoing "Declaration of Trust," see page 126, to 131 of this Book, also sign this Article, in reference to the following parcels of land purchased or exchanged since that Declation was drawn up, and described in the 2d. General Deed, see page 135, to 143, of this Book, which are as follows - viz.

Richard Penty, July 23d. 1853 = 27. — Acres.
S. Goss, ——— May 11th. 1856 = 7. 1 " Acres.
George E. Huntington, Nov. 3d. 56 " 7. — 1 " Acres.
Sanford Russell, Sept. 25" 1857. 35. — Acres.
Abel Shepard — Aug. 30" 1852. 8. — Acres.
64 — Acres.

All of which, we hereby declare, that we hold in trust, for the use and benefit of the Church, and Community, at North Union, according to the true intent and meaning of the Constitution, or Covenant of the Church.

Signed, and sealed in presence of — Lenel G Thayer
John Plot.

James S. Prescott. Seal
George W. Ingalls. Seal
Samuel S. Miner. Seal

1876.

Copy of a General Deed.

Know all men by these presents:

That whereas, in a certain action, then pending in the Court of Common Pleas, within and for the County of Cuyahoga, and State of Ohio, at the November Term A. D. 1875 thereof, wherein James S. Prescott, George W. Ingalls, and Samuel S. Miner, Trustees of the United Society of Believers, commonly called "Shakers," were Plaintiffs, and Riley Coney, was Defendant, a Judgment and Decree of said Court, was rendered therein, in pursuance of which, said Defendant, Riley Coney is ordered and directed to convey to said Plaintiffs, certain premises, in said petition, described in trust, as required in the prayer of relief in said petition contained:

Now therefore, I, Riley Coney, of the Township of Warrensville, County of Cuyahoga, and State of Ohio, Grantor, in pursuance of said Judgment and Decree, do hereby give, grant, bargain, sell and convey unto the said James S. Prescott, George W. Ingalls and Samuel S. Miner, Trustees of the Church and United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio, their heirs, assigns, and successors in office forever, in trust as hereinafter particularly expressed, all my right, title, interest, and estate, both legal and equitable, in and to the several lots, tracts and parcels of land hereinafter particularly described, situate in the Township, of Warrensville, being township number seven (7) in the eleventh range of townships, in the Connecticut Western Reserve, County of Cuyahoga, and State of Ohio.

And known as being a lot of land distinguished as lot number Eleven (11) in said Township, and bounded north by lot number one (1) east by lot number twelve, (12) and west by the western boundary line of said Warrensville Township, supposed to contain one hundred and sixty three (163) Acres of land, be the same more or less:

Copy of a General Deed.

1876. Also, in the same Township of Warrens Ville a lot of land known as lot number twelve (12,) bounded north by number eleven (11) east by lot number thirteen (13.) this line being situated in the centre of a public highway,) south by lot number twenty two (22,) this line also being occupied as a public highway in its eastern part and west by lot number eleven (11) in said Township, excepting twenty acres of land, lying in the south east corner, of the north half of said lot number twelve, extending eighty rods east and west, and forty rods north and south, the twenty acres excepted as above, as not hereby conveyed; the said lot number twelve (12,) be the same more or less, is supposed to contain exclusive of the twenty acres above excepted, One hundred and forty two, (142) nearly:

Also, in the Township of Warrens-Ville aforesaid, one lot of land known as lot number twenty one (21,) bounded north by lot number eleven (11.) east by lot number twenty two (22,) south by lot number thirty one (31) and west by the western boundary line of said Warrens-Ville Township, containing one hundred and sixty (160) acres, be the same more or less: Also, in said Township of Warrens-Ville, one lot of land known as lot number twenty two (22.) bounded north by number twelve (12.) boundary line mostly in the highway:

East by lot number twenty three, (23.) this line is also, in the centre of the highway: south by lot number thirty two, (32.) and west by lot number twenty one, (21.) containing one hundred and sixty two (162,) acres of land, be the same more or less: Also, in said Township of Warrens-Ville, one lot of land known as lot number twenty three, (23,) bounded north by lot number thirteen, (13,) boundary line in the centre of highway, east by lot number twenty four, (24,) south, by lot number thirty three, (33,) and west by lot number twenty two, (22,) this line is in the centre of a public highway said lot contains one hundred and fifty five, (155) acres, be the same more or less:

Also, in said Township of Warrens-Ville, one lot of land known as lot number thirty four, (34,) bounded

Copy of a General Deed.

1876. north by lot number twenty four, (24) east by lot number thirty five (35); south by lot number forty four, (44), and west by lot number thirty three (33) containing one hundred and fifty nine acres, (159) be the same more or less: Also, in said Township, part of lot number thirty three, (33) in two parcels as follows: the first parcel of said lot hereby conveyed is one hundred (100) acres, set off in rectangular form, so as to embrace the east part of said lot, bounded north by lot number twenty three (23) east by lot number thirty four (34); south by lot number forty three (43), and west by the remaining of said lot number thirty three (33), the second piece or parcel of said lot is the north thirty six (36) Acres of the remainder of said lot, set off by a line parallel to the north line thereof, and placed so far south as to include that quantity of land, bounded north by lot number twenty three (23), east by the west line of the aforesaid East one hundred Acres; South by a portion of land still remaining of said lot thirty three, and not hereby conveyed, and west ~~by west~~ by lot number thirty two (32) this last described line is in the center of a public highway; the said two parcels hereby conveyed contain one hundred and thirty six (136) Acres of land, be the same more or less:

Also, in the said Township of Warrensville, a tract, lot, or parcel of land, being the north part, (surveyed and set off,) of lot number thirty two (32) bounded north by lot number twenty two, (22) east by lot number thirty three (33) this line is in the centre of a public highway, south by the remainder of said lot number thirty two (32) and west by lot number thirty one, (31), containing sixty (60) Acres, and sixty (60) perches of land: Also, all that lot, or parcel of land in said County of Cuyahoga, in tract four (4), range twelve (12) and township number seven (7) formerly Newburg Township, bounded north by lot number four hundred and fourteen (414), east by the eastern boundary line of the last above mentioned township, south by lot number four hundred and thirty (430), and west by the western boundary line of the said lot four hundred and twenty two (422) the said lot be the same more or less: is supposed to contain one hundred and two (102)

Copy of a General Deed.

1876. acres of land nearly:-

Also, fifteen (15) acres of land to be taken off the south end of lot number four hundred and fourteen (414), in the same range, township, and section herein before lastly described, which said section, is section number four (4,) bounded north by that part of said lot, number four hundred and fourteen (414), not hereby conveyed, east by the eastern boundary line of said township number seven (7), in the twelfth range of townships aforesaid, south by lot number four hundred and twenty two (422) and west by the western boundary line of said lot, number four hundred and fourteen (414):

The aforesaid lots, tracts, and parcels of land, being the same conveyed to Riley Haney, and James S. Prescott, by Peter Boyd and Jesse Lagire, by Deed dated June 18th A. D. 1850: And also the following parcel of land in said Warrensville Township, and known as the west part of lot number twenty four (24), beginning at the north west corner of said lot, thence southerly on the west line of said lot, to the south west corner of the same, forty (40) chains, thence easterly on the south line of said lot, to the south east corner of a tract of land, known as the West seventy Acres of said lot twenty four, which was Deeded by Samuel Dickinson to Elisha Russell, on July 22th 1842. seventeen (17) chains and fifty links, thence, northerly on the east line of said seventy Acres, to the south east corner of twelve Acres of land conveyed by Elisha Russell, to Richard Penty, twenty (20) chains, thence, west on the south line of Penty's land, to the south-west corner thereof, six chains, thence north on the west line of said Penty's land parallel to the line first described to the north line of said lot number twenty four (24) twenty (20) chains, thence westerly on said north line to the place of beginning, eleven chains and fifty links, containing fifty eight Acres of land be the same more or less, And being the same land

Copy of a General Deed.

1876.

said
conveyed to Honey and Prescott, by Deed dated
May 1st 1850:

Also, the following parcel of land in said township of Warrensville known as the south west part of lot number thirteen (13) bounded as follows, beginning at the south west corner of said lot thirteen and running thence east on the original line of lots to land Deeded to Abel Shepard by David Huntington, twenty two (22) Chains and thirty seven ~~Links~~ (37) links, thence north on said Huntington's west line to a post four (4) Chains, forty seven 47 2/73 2/73 links, thence west, parallel to the south line, to the west line of lot number thirteen (13) twenty two chains and thirty seven links, thence south, on said west line to the place of beginning, four (4) chains and forty seven 2/73 links, and being the same land conveyed to said Honey and Prescott, by Richard Penty, and wife, May 1st 1850.

Also, the following parcel of land in said Township of Warrensville, known as the north west part of the south half of said lot number thirteen (13), and bounded as follows: beginning at the northwest corner of the south half of said lot, and at the south West corner of land in the north half of said lot owned by Betsey Barker, thence southerly, in the centre of the highway, and on the west line of said lot to land conveyed by Abel Shepard to the said Honey and Prescott, twelve chains and six 9/10 links: thence, easterly parellel to south line of said lot, and on the north line of the land aforesaid conveyed to said Honey and Prescott, to land belonging to the heirs of David Huntington, twenty two (22) chains and thirty one links, thence northerly on the west line of the said heir land, and parallel with the west line of the lot to Betsey Barkers land, twelve (12) chains, six 9/10 links, thence westerly, on said Betsey Barkers south line to the place of beginning, twenty two chains, and thirty seven links, containing twenty seven (27) Acres of land: be the same more

1876.

Copy of a General Deed.

or less: and being the same premises conveyed to said Coney and Prescott, by Richard Penty and wife, July 23rd 1853:

Also, the following parcel of land in said last named township and lot, and bounded as follows, beginning at a point in the west line of said lot (13) thirteen (13) four (4) Chains forty seven 2/7 3 links, northerly from the south west corner of said lot, being all the north west corner of a ten acre tract in said lot, conveyed by Richard Penty and wife to said Coney and Prescott, 1, 12th May 1850, thence, easterly on the north line of said ten acre tract, twenty two (22) Chains and thirty seven (37) links to a post standing at a post standing at the southeast corner of Abel Shepard's land, thence northerly, parallel to the west line of said lot to a post three chains fifty seven 62/1000 links; thence westerly, parallel to said south line, to the west line of said lot twenty two chains and 37 links, thence southerly on said west line to the place of beginning, three (3) chains 57 62/1000 links, containing eight acres of land, the same land conveyed to said Coney and Prescott, by Abel Shepard, 30th. August 1852:

Also, the following parcel of land in said township and lot last named, beginning on the south line of said lot thirteen (13) fourteen rods west from the southeast corner of said lot, thence north parallel with the east line of said lot, to the north line of land owned by the heirs of David Huntington, thence, west on said north line, fourteen rods to Robert Drakes north east corner, thence south on said Drakes east line to the south line of said lot, thence fourteen rods east on the south line of said lot to the place of beginning, containing seven (7) acres of land, and being the same premises conveyed to Coney and Prescott, by George G. Huntington, November 3d. 1856:

Copy of a General Deed.

1857.

Also, the following parcel of land in said last named township and lot, being one fifth part of thirty five acres of land in said lot and bounded as follows; beginning at the southwest corner of land owned by the heirs of David Huntington, thence east on the south line of said lot far enough, so that a line parallel with the west line of said lot, extending from the south line to the north line of said thirty five acre lot, shall include seven acres of land and no more, thence north on said parallel line to the north line of said 35 acres, thence west on said north line to the west line of the same, thence south on said west line to the place of beginning; being the same premises conveyed to said Honey and Prescott, by Francis Goss and others, May 11th. 1857:

Also, the following parcel of land in said last named Township and lot, beginning at the south east corner of said lot number thirteen (13), thence west, seventeen chains, and twenty five (25) links to a post, thence north twenty chains and twenty nine links, to a post; thence east seventeen (17) chains and twenty five (25) links to a post and stones. ~~twenty chains and twenty nine links, to a post, thence east, seventeen (17) chains and twenty five links, to a post and stones,~~ thence south twenty chains and twenty nine links, to the place of beginning; containing thirty five acres of land, and being the same premises conveyed to said Honey and Prescott, by Sanford Russell, September 25th. 1857:

The aforesaid described parcels of land are intended to include a tract of land containing five (5) Acres, and 82/100 of land conveyed to said Honey and Prescott by one John Caley in exchange, and also, a small parcel of land of situate in and bordering upon the stone quarry, commonly known as the "Shakers quarry", south, and near the Stone Grist-Mill, commonly known as the "Shaker's Mill," conveyed to said Honey and Prescott, by one Reader and Higgins:

Copy of a General Deed.

It is also, intended to exclude and omit from said premises a tract of ten acres of land, conveyed to Richard Penty in 1850, in exchange for the ten acre tract conveyed to Honey and Prescott by Richard Penty, May 1st 1850: And also, to exclude and omit therefrom, the premises in said lot number twenty four, conveyed to said Penty by said Honey and Prescott December 14th 1850, Recorded in Volume 51 page 263: C. R.

And also, the premises in said lot number thirteen (13), conveyed by said Honey and Prescott, to Jeremi- Howard, May 9th 1861, and recorded in Volume 117, page 236. - Also, the premises in said last named lot conveyed by said Honey and Prescott to Robert Drake Jr: Oct: 16th 1856. Recorded in Volume 95, page 428. - Also, five (5, 22/100) Acres of land, conveyed to John Lala aforesaid, in exchange for the same quantity of land conveyed by Lala to Honey and Prescott:

The said several tracts and parcels of land being all the lands in said County, in which the said grantor, herein has any legal or equitable interest; the lands aforesaid are situated in the Township of Newburgh, Warrensville, and East-Cleveland, in said County, as the said boundaries of said Townships are now established.

To have and to hold, the aforesaid several lots, tracts, and parcels of land, In Trust, to, and for, the sole and exclusive use, — benefit and advantage of the said United Society of Believers, commonly called "Shakers," at North Union, Cuyahoga County, Ohio. - And for no other use, purpose, or design whatever, and to be, and remain inviolably in the possession, and at the disposal of the Trustees or Deaconships, of said Church, or United Society of Believers, in a regular line of succession, forever, according to the true intent and meaning of the rules and regulations, of said Church, or Society, and the Constitution, or Covenant thereof, as ratified and confirmed on the 31st day of December A.D. 1829.

Copy of a General Deed &c.

1876.

In Witness Whereof, I have hereunto set my hand and seal, this 29th day of November, in the year of our Lord, one thousand, eight hundred and seventy five

Riley Haney, [Seal.]

Signed, Sealed, and Delivered, in presence of, W. Pote, E. Sowers.

State of Ohio, Cuyahoga County, ss.

Personally appeared before me, a Notary Public, within and for said County, the above named Riley Haney, who acknowledged the signing and sealing of the foregoing Deed of conveyance, to be his free act, and deed.

In testimony Whereof, I have hereunto set my hand and official Seal, this 29th day November, A.D. 1875.

E. Sowers. [Official Seal]

Notary Public.

1876.

Proposed Amendment, (Copied.) to the Covenant.

Sec. VI. Article VIII.

We further covenant and agree, that if the Trustees now serving or any of them, or any future Trustees or Trustee, or any of them, in whom may be vested the fee of lands belonging to said Church or Society, shall die (either before or after their or his acceptance of the trust,) - remove from the State or County, desire to be discharged from, remove, decline or become incapable, or unfit to act, then and in every such case, and so often as the same shall happen, all the right, title, and interest, both legal and equitable, in and to the fee of said lands, of said Trustees or Trustee, or any future Trustees or Trustee, so dying, removing, desiring to be discharged from remaining, declining, or becoming incapable or unfit to act, shall thereupon be and become vest-ed in the remaining Trustees or Trustee.

And upon the nomination, appointment and confirmation of the successors or successor of said Trustees or Trustee, or of any future Trustees or Trustee, by the constituted authority recogniz-ed in this Covenant, according to the rules and regu-lations prescribed in the same, it shall be lawful for the remaining trustees or Trustee, or after the decease of the last remaining Trustee, for his executors or ad-ministrators, to convey, assign and transfer to said successors or successor the fee to said lands, or a joint interest, with the remaining Trustees or Trustee therein, to and for the same uses, and upon the same trusts, and with and subject to the same pow-ers and provisions heretofore and herein declared.

And every new Trustee, to be from time to time appointed, as aforesaid, shall thenceforth be competent in all things, to act in the execution of the trusts hereof, as fully and effectually, and with all the same powers and authorities as if he had hereby been

A true Copy.

1876. — originally appointed a Trustee in the place of the Trustee to whom he shall, whether immediately or otherwise succeed.

E. Sowers.
Attorney at Law -
Cleveland,
Ohio.

Note.

The foregoing proposed Amendment to our Covenant, was in substance quoted from "Perry" on "Trust." - Considered the highest legal Authority in America.

E. S.

The following is a Copy of the foregoing, in a condensed form. By the Ministry, of Mount Lebanon.

Section VI.
Article III.

For Shaker Covenant of Ohio.

We, the Subscribers, further Covenant and agree, that, in case of the death, defection, or removal, under any circumstances whatever, of any one, or more, of the Trustees of the property recognized in this Covenant, the appointment of a successor or successors, agreeably, to the stipulations of this Covenant, shall vest in such successor, or successors, all the legal claims, rights, privileges and duties, of his, her, or their predecessors in office.

Giles B. Avery,
of Mount Lebanon.
N. Y. -

North Union, August 13th. 1876.

146.

1875.

Remarks on the Covenant,

Cleveland, O. Dec. 31st, 1875.

James S. Prescott,
George W. Ingalls, and
Samuel S. Miner,
Trustees of the
United Society of Believers commonly
called Shakers.

Dear Sirs.

At the request of James S. Prescott, I take the liberty of submitting for your consideration a few remarks respecting the property of your Society and the method of conducting its business in respect to its real property.

These remarks were suggested on an examination of those provisions of the Covenant relating to the powers and duties of the Trustees, in whom is vested the fee to the lands of the Society, and also, on an examination of the provisions contained in the Deed of Boyd and Legire, conveying sundry parcels of land to the late Trustees of the Society, Riley Harvey and James S. Prescott, and dated 18th of June 1850.

It should be remembered that the several Deeds, and the rules and regulations of the Society, create and contemplate a trust that is to be perpetual; hence, for the benefit of future Trustees, upon whom the title of the property and the duties of the Trusteeships shall devolve, it seems to me very important that a brief description of every parcel of land that may be purchased should be kept; showing when purchased, the quantity, the consideration, the party or parties, from whom purchased; and also, a like description of every parcel of land sold.

Such a brief memoranda would greatly facilitate the labor of tracing title to parcels of land owned by the Trustees, and would give a brief history of all the transactions of the Trustees, in relation

to real estate. A brief record showing the above facts would have saved much time, labor and expense in your recent legal proceedings.

When purchases of lands are made I would urge a strict adherence to the form of Deed as given by Boyd and Legire, because in that form and Deed the purpose and objects of the trusts are clearly and accurately stated, and as those forms were manifestly chosen upon careful considerations, they should be observed, unless special reasons exist for another form of Deed.

I am led to these remarks because I have observed that some of the Deeds to the former Trustees, name them as Trustees merely, without expressing in terms the trusts for which the property is conveyed. Too much care cannot be taken upon this subject. I may remark in this connection that no harm is likely to come from this oversight hitherto, because in the recent legal proceedings had for the removal of one Trustee, and the substitution of other Trustees in his place, the entire premises are described as held in trust, for the purposes and objects declared in the Deed of Boyd and Legire and the Rules and Regulations of the Society. By these proceedings then, the property above referred to, and not conveyed by Boyd and Legire, has impressed upon it the character of trust property as above stated.

I am inclined to advise the drawing of a new "Declaration of Trust," as several parcels of land have been purchased since the last "Declaration" was signed.

In submitting for your consideration a form for a proposed additional Article to your Covenant, I would remark that those parts of the Deed of Boyd and Legire, declaratory of the trusts therein created were manifestly drawn upon careful consideration, and this remark-

Remarks on the Covenant.

1875.

may also be applied to those provisions of the Covenant defining the powers and duties of the Trustees respecting the real estate held by them in trust. The objects and purposes of those who created the trusts, were to establish and define the trust, and surround it with proper safe-guards.

It is therefore possible that the matter of providing for the transfer of the legal title to succeeding Trustees, may not have received special attention, and yet it must be admitted this view is hardly probable, when the careful manner in which the Deed of Boyd and Legire was drawn is taken into account. On examination of that Deed would lead to the opinion that the subject of transfering the legal title to succeeding Trustees was left as it is purposely, in order that the transfer of legal title should be effected by a legal proceeding as the safest method to be devised. I find that such proceedings were begun by the Society in Warren County, Ohio, to obtain a transfer of legal title from an out-going Trustee, very probably under the advise of the Counsel, who afterwards drew the Deed of Boyd and Legire.

Your Society is an unincorporated Religious Society. The Trustees of the Society hold the legal title of the lands belonging to the Society, in trust - according to the "true intent and meaning of the Rules and regulations of # # # said # # # Society and the Covenant # # # of December # # # 1829. The rights and powers of the Trustees in reference to the lands of the Society, are established and defined in the Deeds creating the trusts, and in the Rules and Regulations and Covenant of the Society.

I have assumed that in accordance with the true intent and meaning of the Rules and regulations, and of the Covenant of your Society, a Change in the Rules and regulations,

or of the Covenant relating to the property, may be made, whenever it shall appear that a change therein will promote the best interests of the Society. You will understand that this remark is limited to those ~~to those~~ matters that concern the property interests of your Society, and that the changes, if made, shall be effected in the manner prescribed by the rules and regulations of your Society.

The object of the proposed Article is to provide for the transfer of the legal title of the lands, from an out-going Trustee or Trustees, or the administrator or executor of the last surviving Trustee, to the succeeding Trustee or Trustees having been duly appointed.

I have already said in substance that it is possible that those, who created the trusts, and framed the Covenant, made use of the terms they did in defining the powers of those charged with the duty of executing the trust, because in their opinion those terms pointed out the safest method to be pursued. This method may have been chosen because they conceived it to be attended with less danger, to be less liable to fraud and abuse, and as offering better facilities for the detection and avoiding of fraud than any other method, notwithstanding that it is accompanied with the inconvenience of legal proceedings to transfer title to land, and is more expensive. These considerations should receive careful attention and have due weight, in determining whether any change in ~~or~~ & addition to the Covenant should be made.

Another question must be determined before the proposed alteration is made, and that is whether the proposed Article can be adopted in pursuance of the true intent and meaning of the rules and regulations of the Society in force in June 1850; and of the Covenant of December 31, 1829 &

150

1877.

Remarks on the Covenant.

It seems to me the proposed Article is within the true intent and meaning of the provisions contained in the Deeds, and in the Covenant, and that no violence will be done to the true intent and meaning of either, in making it a part of the Covenant. It proposes simply to prescribe the method by which the legal title to the lands vested in the Trustees, and held by them in trust may be transfered from a retiring Trustee or Trustees, to a duly appointed Successor or Successors, without the intervention of a legal proceeding.

This object as it seems to me is clearly written - the purview of the Covenant - and of the rules and regulations of the Society.

I append hereto, the proposed new Article. #.

Very truly Yours,

E. Sowers.

See page 144. - 145.

Copied Feb. 15th. 1877.

x

1880.

Copy of a Deed.

Know all men by these Presents:-

That Whereas, we James S. Prescott, and Samuel S. Miner, of North Union, Cuyahoga County, Ohio, together with George W. Ingalls, as Trustees, of the Church and United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio, received by deed, dated November 29th. A. D. 1845, from Riley Coney, a conveyance of a title to sundry tracts of land, in the County of Cuyahoga, and State of Ohio, to be held by them as Trustees, and in trust, for the sole and exclusive use, benefit, and advantage, of the said United Society of Believers, commonly called Shakers, at North Union, Cuyahoga County, Ohio.

And Whereas, one of said Trustees, viz. George W. Ingalls, has departed this life, and said Society have by the proper authority thereof designated and appointed Abigail Russell, Lydia Ann Cramer, John Norton, and Cornelius Bush, of said Village of North Union, to succeed them in said trust, and to hold the title to said real estate, as Trustees as aforesaid, and that said surviving Trustees, James S. Prescott and Samuel S. Miner should convey to said new board of Trustees, viz. the said Abigail Russell, Lydia Ann Cramer, John Norton and Cornelius Bush, as Trustees as aforesaid, the said real estate:-

Now Therefore, in consideration of the premises, and of the trusts upon which said real estate is held by us, we the said

Record.

James S. Prescott, and Samuel S. Miner, as surviving Trustees as aforesaid, have granted, conveyed, remised, released, and forever quit-claimed, and do by these presents, grant, convey, remise, release, and forever quit-claim unto the said Abigail Russell, Lydia Ann Gaynor, John Norton, and Cornelius Bush, as Trustees aforesaid, their heirs and assigns, and to their survivors or survivor of them, their heirs and assigns, in trust, as hereinafter particularly set forth, and expressed, all our right, title, interest, in estate, as surviving Trustees as aforesaid, both legal and equitable, of, in and to the said real estate hereinafter described, to wit:-

All and singular the tracts and parcels of real estate conveyed to us together with the said George W. Ingalls, now deceased, by said Riley Haney, by deed dated November 29th A. D. 1875, and recorded in the Records of Cuyahoga County, Ohio, in Volume 25 Page 361, wherein said tracts and parcels of real estate are fully described, and to which reference is here made for a description. Together with all and singular the hereditaments, and appurtenances, to the said several lots, tracts, and parcels of land belonging or in anywise appertaining, and all the estate, right title, interest, claim or demand whatsoever, of the said James S. Prescott, and Samuel S. Miner, surviving Trustees, either at law or in equity, of, in and to said premises.

Saving, reserving, and excepting, however, therefrom, the tract or parcel of land conveyed by said James S. Prescott, Samuel S. Miner, and George W. Ingalls, as Trustees,

Record.

1880.)

as aforesaid, to Emily S. Reader, by deed, dated May 13th A. D. 1879 and recorded in Cuyahoga County Records, Volume 303, Page 319, to which reference is made for a description.

To Have, and to Hold, the said premises above described to the said Abigail Harrell, Lydia Ann Cramer, John Norton, and Cornelius Bush, as Trustees, of the said United Society of Believers commonly called Shakers, at North Union, Cuyahoga County, Ohio, their heirs, and assigns, the survivors, or survivor of them, their heirs and assigns, forever in Trust, to and for the sole and exclusive use, benefit, and advantage, of the said United Society of Believers, commonly called Shakers, at North Union, Cuyhoga County, Ohio, and for no other use, purpose, design, or benefit whatever, and to be and remain inviolably, in the possession and disposal of the Trustees, or deaconship, of said United Society of Believers) in a regular line of succession forever, according to the true intent and meaning of the rules, regulations, usages, constitution, and covenant, of said Church, or Society, as ratified, and confirmed July 24th A. D. 1843.

In Testimony Whereof, we, the said James S. Prescott, and Samuel S. Miner, surviving Trustees, as aforesaid, have hereunto set our hands and seals this 8th day of May A. D. 1880.)

Signed Sealed and Delivered in presence of } James S. Prescott, Seal
Samuel S. Miner. Seal
Surviving Trustees aforesaid.

Wm. Reynolds,
John R. Ramney.

1880.)

Declaration of Trust.

Whereas, James S. Prescott, Samuel S. Miner, and George W. Ingalls have heretofore been the Trustees of the Church and United Society of Believers, commonly called Shakers at North Union, Cuyahoga County, Ohio, and as such Trustees, did by deed dated November 29th A. D. 1875 receive from Riley Honey a conveyance of the title to sundry lots, tracts, and parcels of land in said County of Cuyahoga and State of Ohio, to be held by them as Trustees, and in trust, for the sole and exclusive use, benefit and advantage of the said United Society Believers at North Union, And Whereas one of said former Trustees, viz. George W. Ingalls departed this life before the execution of the conveyance hereinafter mentioned, and

Whereas, said Church and Society, by the proper authority thereof, designated and appointed Abigail Russell, Lydia Ann Cramer, John Norton, and Cornelius Bunk, of said Village, of North Union, to succeed said James S. Prescott, Samuel S. Miner, and George W. Ingalls, in said trust, and to hold the title to said real estate as Trustees as aforesaid, and that said surviving Trustees, James S. Prescott, and Samuel S. Miner should convey to said new board of Trustees, as aforesaid the said real estate.

And whereas, the said James S. Prescott, and Samuel S. Miner surviving Trustees as aforesaid in conformity to the rules, regulations, usages, constitution, and covenant of said Church or United Society aforesaid, by their deed, duly executed and bearing date the 28th eight day of May A. D. 1880, have granted, conveyed, remised, released, and forever quit

(1880.) # Declaration of Trust.

-claimed to the undersigned Trustees as aforesaid, in trust, all the right, title, interest, and estate of the said James S. Prescott, and Samuel S. Miner, surviving Trustees as aforesaid, of in and to the several lots, tracts, and parcels of land in said deed, particularly mentioned described and referred to;

And Whereas, for the more perfect conveyance of the whole estate in said deed, made by said James S. Prescott and Samuel S. Miner, said deed conveyed the lands therein mentioned to the undersigned, their heirs and assigns forever in trust, for the uses in said deed, specifically stated, the object and design in using said words and phraseology being to transfer the whole interest, and estate;

And Whereas, All the real estate which was ever conveyed to the Trustees of said Church or United Society, at North Union, in Trust, for the use and benefit of said Church or Society, and the real estate conveyed to the undersigned by the deed above mentioned, was purchased and paid for with money belonging to said Church or Society aforesaid, and for the joint use, and benefit of said Church or Society: -

And Whereas, the undersigned Trustees of said Church, or Society at North Union, are now in the possession and occupancy of all the real estate which was conveyed to them by said James S. Prescott, and Samuel S. Miner, surviving Trustees as aforesaid, in Trust, for the use and benefit of said Church and United Society of Believers, at North Union, Cuyahoga County, Ohio, and have also, in possession and under our control, as

1880. **Declaration of Trust.**

Trustees as aforesaid the personal property belonging to the Church or Society aforesaid; And Whereas, it is right and proper, and in accordance with the rules, regulations, usages, constitution, and covenant of said Church or Society, that the uses and purposes for which said real and personal estate is held by the undersigned Trustees, for the use and benefit of said Church and United Society of Believers at North Union, aforesaid, should be clearly and explicitly defined according to the true intent and meaning of the parties interested therein, and that the undersigned Trustees, should stand responsible for the due execution of the said Trust.

And Whereas, it is provided in the constitution or covenant of said Church or Society, that it shall be the duty of the Trustee or Trustees, who may be vested with the lawful title or claim to the real estate of the Church or Society aforesaid, to make and execute a "Declaration of Trust" in due form of law, embracing all and singular the lands, tenements, and hereditaments, with every matter of interest pertaining to the Church, which at the time being, may be vested in him or them, or that may in future come under his or their official charge, during his or their Trusteeship. The said Declaration shall state expressly, that such Trustee or Trustees, hold such lands, tenements, hereditaments, and all the personal property of every description belonging to the Church or Society, in Trust, for the uses and purposes expressed in, and subject to the rules, regulations, and conditions prescribed by the Covenant or Constitution of the Church, or any amendments thereto which may hereafter be adopted by the gen-

1880) # Declaration of Trust.

-eral approbation of the Church, and in conformity to the primitive faith, and acknowledged principles of the Society.

Now Therefore, Know Ye that in consideration of the premises, and for the purpose of securing the true and faithful application of the property aforesaid both real and personal and all other property of every kind held by us as Trustees as aforesaid, or which may hereafter come to and be held by us as Trustees as aforesaid to the use and benefit intended.

We the said Abigail Russell, Lydia Ann Granger, John Norton, and Cornelius Burk do hereby acknowledge and Declare that as for as any real estate has been conveyed to us as Trustees, for the use and benefit of said Church and United Society of Believers at North Union, Cuyhoga County, Ohio, our names are used in said conveyance in Trust for the joint use and benefit of said Church and United Society at North Union aforesaid, agreeably to the Constitution or Covenant of said Church and Society, and are to be and remain subject to the management and control and disposition of the Trustees for the time being of said Church and Society. And we do further declare, that in the conveyance made to us as Trustees, it never was intended that the word heirs in said conveyance should vest in us, a fee simple estate absolute unconnected with, or independent of the Trust in said conveyance specified. And we do further declare that all the property both real and personal which has come into our possession since our appointment as

1880.) # Declaration of Trust.

Trustees, as aforesaid, and all the real and personal property which may hereafter come into our possession, as such Trustees, is and shall be held by us not for our own individual use, but for the use and benefit of the Church and United Society of Believers, at North Union, Cuyahoga County, Ohio.

And we the undersigned, Abigail Russell, Lydia Ann Cramer, John Norton, and Cornelius Bushdo hereby covenant and agree, that all the property now held by us in Trust, as aforesaid, or that we may hereafter so hold, both real and personal, shall be faithfully applied for the use and benefit of the Church and United Society of Believers at North Union Cuyahoga County, Ohio, according to the usages, rules, regulations, constitution and covenant of said Church and Society, and for no other use or purpose whatsoever; and that any deeds, conveyances, sales or transfers, necessary to carry into effect and secure said uses to the purposes intended, we will execute and make at any time, and in any just, proper, and legal form, that may justly and legally be required.

In Witness Whereof, we have unto set our hands and Seals this 8th. day of May, A.D. 1880.

Signed, Sealed, and Delivered in presence of

Wm. Reynolds,
John R. Ramney.

Abigail Russell, (Seal.)
Lydia Ann Cramer, (Seal.)
John Norton, (Seal.)
Cornelius Bush (Seal.)

I have seen it, surmount
all its difficulties - and
stand before the world, respected
and without reproach.

The object of this short
note, however - is not to write
an eulogy - but lest there
may arise some misunderstanding
on the part of those, who may come
after us - I have thought it
proper to say - That for
any services, I have rendered
the Society - as Attorney, Counsellor
or in any way - I have never
made a charge; nor for any
such services - is the Society
or any Trustee, or
Member of it, indebted to me
In fact it was understood was
indebted to me, for any such
services - I have been
more than paid - in the satisfaction
it has given me - to stand up for
the Society - and in the friendly

presents - it has so often made
to me. and my family. —

with sincere wishes for
your continued welfare - I
subscribe myself as ever,

Your Friend
Sam[l] Harrewatt

this
Copied in the Office Record -
See page 132.

J. S. G[d]